

appropriations of any public funds, Federal, State, or municipal, to any sectarian institutions. The following bodies have united in presenting these petitions: Methodist General Conference, Springfield, Mass.; the presbytery of Genessee of the Presbyterian Church; the presbytery of Clarion of the Presbyterian Church; the presbytery of Columbia of the Presbyterian Church; the presbytery of Portland of the Presbyterian Church; the presbytery of Steuben of the Presbyterian Church; the presbytery of San Jose of the Presbyterian Church; the presbytery of Central Washington of the Presbyterian Church; the presbytery of Peoria of the Presbyterian Church; the presbytery of Geneva of the Presbyterian Church; the Lexington conference of the Methodist Episcopal Church; the Des Moines conference of the Methodist Episcopal Church; the Dakota conference of the Methodist Episcopal Church; the west Wisconsin conference of the Methodist Episcopal Church; the Wisconsin conference of the Methodist Episcopal Church; the presbytery of Blairsville of the Presbyterian Church; the Mississippi Baptist convention; the Indiana Baptist convention; the Kentucky Baptist general convention; Delaware Baptist State convention; the Connecticut Baptist convention; the Michigan Baptist convention; the Nevada Baptist convention; the Colorado Baptist convention; Oklahoma general Baptist convention; the Iowa Baptist convention; the western Washington Baptist convention; the Pennsylvania Baptist general convention; the Florida Baptist convention; the Georgia Baptist convention; the Baptist general convention of Texas; the southern Baptist convention; the Minnesota Baptist convention; Indiana conference Methodist Episcopal Church; south Georgia conference Methodist Episcopal Church South; the Missouri Baptist general association; north Indiana conference Methodist Episcopal Church; the Wilmington conference of the Methodist Episcopal Church; eastern Swedish conference Methodist Episcopal Church; the presbytery of Sacramento of the Presbyterian Church; the presbytery of Detroit of the Presbyterian Church; the presbytery of Zanesville of the Presbyterian Church; the presbytery of Petoskey of the Presbyterian Church; the presbytery of Kalamazoo of the Presbyterian Church; the presbytery of Bot Butte of the Presbyterian Church; the presbytery of Westchester of the Presbyterian Church; the presbytery of Kittanning of the Presbyterian Church; the presbytery of Iowa of the Presbyterian Church; the presbytery of Hudson of the Presbyterian Church; the presbytery of Brooklyn-Nassau of the Presbyterian Church; the presbytery of Mankato of the Presbyterian Church; the presbytery of Nevada of the Presbyterian Church; the presbytery of St. Joseph of the Presbyterian Church; the presbytery of Iowa City of the Presbyterian Church; the presbytery of Philadelphia of the Presbyterian Church; the presbytery of Chillicothe of the Presbyterian Church; the presbytery of Newcastle of the Presbyterian Church; the presbytery of Washington City of the Presbyterian Church; the presbytery of Yellowstone of the Presbyterian Church; the presbytery of Chester of the Presbyterian Church; the presbytery of Bushville of the Presbyterian Church; the presbytery of Boston of the Presbyterian Church; the presbytery of Lackawanna of the Presbyterian Church; the presbytery of Oklahoma of the Presbyterian Church; the presbytery of Winnebago of the Presbyterian Church; the presbytery of Georgia of the Presbyterian Church; the presbytery of Jackson of the Presbyterian Church; the presbytery of Central West of the Presbyterian Church; the presbytery of Freeport of the Presbyterian Church; the presbytery of Hannibal of the Presbyterian Church; the Texas conference of the Methodist Episcopal Church South; the Mississippi conference of the Methodist Episcopal Church South; the Pacific conference of the Methodist Episcopal Church South; the New York Baptist missionary convention; The Montana conference of the Methodist Episcopal Church; the Tennessee conference, Methodist Episcopal Church South; the New Mexico conference, Methodist Episcopal Church South; the north Texas conference of the Methodist Episcopal Church South; the north Georgia conference of the Methodist Episcopal Church South; Louisiana Baptist State convention; the Arkansas Baptist State convention; the Wyoming conference of the Methodist Episcopal Church; the northwest Nebraska conference of the Methodist Episcopal Church; the presbytery of Spokane of the Presbyterian Church; the North Dakota conference of the Methodist Episcopal Church; the Erie conference of the Methodist Episcopal Church; the presbytery of Olympia of the Presbyterian Church; southern Illinois conference Methodist Episcopal Church; Baptist convention of North Carolina; the presbytery of McAlister of the Presbyterian Church; Virginia conference of the Methodist Episcopal Church; and the New Jersey Baptist convention; to the Committee on the Judiciary.

SENATE

SATURDAY, June 7, 1924

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, Thou hast placed us in a beautiful world. The heavens declare Thy glory and the firmament showeth Thy handiwork. Day unto day uttereth speech and night unto night declareth knowledge. Thou hast clothed the lilies with glories surpassing Solomon, and Thou dost take care of us as if we were the only creatures of Thy hand.

We bless Thee for the privileges of service in Thy name, and for all the manifold opportunities to help others along the pathway and to bear the burdens of life and its anxieties. Be pleased to be in this closing session, and grant, we beseech of Thee, the continuance of Thy favor during the intervening months. Be always our guide. Help us to avoid the wrong, to pursue the right, and to honor Thee continually. We ask in Jesus Christ's name. Amen.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURRIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the bill (S. 1987) accepting certain tracts of land in the city of Medford, Jackson County, Ore.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9561) making additional appropriations for the fiscal year ending June 30, 1925, to enable the heads of the several departments and independent establishments to adjust the rates of compensation of civilian employees in certain of the field services.

The message further announced that the House had passed bills and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

H. R. 26. An act to compensate the Chippewa Indians of Minnesota for lands disposed of under the provisions of the free homestead act;

H. R. 646. An act to make valid and enforceable written provisions or agreements for arbitration of disputes arising out of contracts, maritime transactions, or commerce among the States or Territories or with foreign nations;

H. R. 8086. An act to amend the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915," approved August 1, 1914; and

H. J. Res. 283. Joint resolution to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 3477. An act for the relief of James B. Porter;

H. R. 4816. An act authorizing the Secretary of War to permit the city of Vicksburg, Miss., to construct and maintain water mains on and under the National Cemetery Road at Vicksburg, Miss.;

H. R. 4835. An act to pay tuition of Indian children in public schools;

H. R. 5325. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes; and

H. R. 6049. An act for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth.

REPORT OF BOARD OF VISITORS TO NAVAL ACADEMY (S. DOC. NO. 152)

The PRESIDENT pro tempore laid before the Senate the report of the Board of Visitors to the Naval Academy for 1924, which was referred to the Committee on Naval Affairs and ordered to be printed.

DISPOSITION OF USELESS PAPERS

The PRESIDENT pro tempore laid before the Senate a communication from the Public Printer, transmitting, pursuant to law, a schedule of useless files of papers and records in the office of the Superintendent of Documents not needed in the conduct of business, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive De-

partments. The President pro tempore appointed Mr. MOSES and Mr. FLETCHER members of the committee on the part of the Senate and ordered that the Secretary notify the House of Representatives thereof.

He also laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a list of documents and files of papers not needed or useful in the transaction of the current business of the department or having no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The President pro tempore appointed Mr. WADSWORTH and Mr. FLETCHER members of the committee on the part of the Senate and ordered that the Secretary notify the House of Representatives thereof.

DEPRESSION IN COTTON MANUFACTURING INDUSTRIES (S. DOC. NO. 150)

The PRESIDENT pro tempore. The Chair lays before the Senate a report of the Tariff Commission, in response to Senate Resolution 219, on the present depression in and the effect of imports upon the cotton-cloth industry, which, without objection, will be printed as a Senate document, with illustrations.

Mr. WALSH of Massachusetts. I ask unanimous consent that that part of the report which does not include tables be printed in the CONGRESSIONAL RECORD, and that the report be referred to the Committee on Finance.

Mr. SMOOT. The Senator will not object to having the tables printed also?

Mr. WALSH of Massachusetts. They will be printed as a Senate document, but it would be too bulky to print them in the RECORD.

There being no objection, the report was referred to the Committee on Finance, ordered to be printed as a Senate document, and to be printed in the RECORD in part, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, June 7, 1924.

Hon. A. B. CUMMINS,

President pro tempore, United States Senate.

MY DEAR SENATOR: Herewith I have the honor to transmit a report of the Tariff Commission, in response to Senate Resolution No. 219, a report on the present depression in and the effect of imports upon the cotton-cloth industry.

Respectfully,

THOMAS O. MARVIN, Chairman.

(Inclosure.)

UNITED STATES TARIFF COMMISSION,
Washington, D. C.

On May 12, 1924, the United States Senate adopted the following resolution No. 219:

"Whereas a prolonged depression of exceptional magnitude has, and is, occurring in the cotton textile industry, causing an attendant decrease in production of 40 to 60 per cent and general unemployment and its consequent want and distress in communities where this industry is located: Therefore be it

"Resolved, That the United States Tariff Commission be, and hereby is, directed to furnish to the Senate as expeditiously as possible, if not incompatible with the public interests, all available facts requested hereinafter:

"(1) Is the present depression in the cotton manufacturing industry confined to the United States or is it world-wide?

"(2) To what extent and for how long a period has the present depression in the cotton manufacturing industry of this country been apparent?

"(3) What is the quantity and value of cotton cloth imported into and exported from the United States under the present tariff act as compared with those under the acts of 1909?

"(4) What is the percentage of imports and exports, as compared to the domestic production, of cotton cloth in the census years 1909, 1914, 1919, 1921, and 1923?

"(5) What types of cotton cloth constitute the bulk of the import trade, and are these cloths similar or different in character from those produced in this country?

"(6) What are the main reasons for the importation of cotton cloths; in particular, are such imports due primarily to price or to quality?

"(7) To what extent has the domestic industry been affected by the postwar increases in the importation of cotton cloths?

"(8) Would changes in the present tariff rates on cotton cloths be of material assistance in stimulating production and restoring prosperity to this industry?"

In response to the foregoing resolution, the United States Tariff Commission has the honor to submit the following:

I

"Is the present depression in the cotton manufacturing industry confined to the United States or is it world-wide?"

The present depression in the cotton manufacturing industry is practically world-wide, although more severe in some countries than in others.

The United States is the world's largest consumer of cotton. On the basis of number of spindles the cotton manufacturing countries rank as follows: The United Kingdom, the United States, France, Germany, India, Russia, Italy, Japan, Czechoslovakia, China, Spain, Brazil, Belgium, Switzerland, Canada, Poland, and Austria.

A prompt answer to the inquiry of the Senate does not permit a detailed study of the relative extent of the depression in the various countries, and the following statements and quotations are given only as evidence that there is more or less depression existing in the cotton manufacturing industry of almost every country.

United Kingdom: Sir Charles W. Macara, an acknowledged authority, in a pamphlet published April 28, 1924, expresses the opinion that the British cotton industry, dependent upon overseas trade for four-fifths of its employment, has, in the world upheaval resulting from the World War, suffered more severely than the cotton industry of any other country. He says, further, "We can not forget that during the past disastrous three years the industry has suffered an estimated loss of £150,000,000."

The United Kingdom is the predominating factor in the international trade in cotton cloth, but its sales are mainly to Asiatic countries, particularly India and China, where price is the main consideration. The high prices prevailing in recent years have resulted in a great curtailment of this Asiatic trade, primarily because the purchasing power of the masses is strictly limited and has not increased in proportion to the increase in the price of British cottons. In addition there have been various other factors, such as the exchange conditions, the Swadeshi movement in India, internal disturbances in China, keener competition from American export goods, etc., that have militated against any return to full-time operation by the British mills.

The following table (this table is taken from a paper prepared for the Manchester Statistical Society by Prof. G. W. Daniels and reproduced in the International Cotton Bulletin for March, 1924) shows the changes in the distribution of British piece goods exports between 1913 and 1923:

TABLE I

Country	Percentage distribution	
	1913	1923
Far East.....	60	46
Near East.....	10	9.4
Central and South America.....	9.5	10
Europe.....	6	7.3
Self-governing colonies.....	5.5	8
Africa.....	4.8	7.5
United States.....	.6	4.2
Other countries.....	3.6	7.3
Totals (percentages).....	100	100
Totals (million yards).....	7,075	4,272

The above yardage totals show a wide decline in demand for British piece goods. Although, as shown by the above table, the percentage of total distribution of British piece goods exported to the United States increased from 0.6 of 1 per cent in 1913 to 4.2 per cent in 1923, the actual increase in sales of British piece goods to the United States was from 44,404,500 square yards in 1913 to 174,922,200 square yards in 1923, an increase of nearly 4 times.

At the present time many of the British cotton mills are shut down and a substantial proportion are working short time. The spinning mills that use American cotton are, by agreement, operating only 26½ hours a week. Although the spinning mills that use Egyptian cotton in the manufacture of finer goods are more fully employed, it would appear that, all classes of goods considered, the industry as a whole, spinning and weaving, is not operating to more than two-thirds capacity.

One phase of the present depression in the British cotton industry, the fact that there has been not only a loss in production but also a diminution in productive machinery, is illustrated in a recent report (published May 1, 1924, as Special Bulletin No. 310) of the Department of Commerce. In part this is as follows:

"Since the armistice there has been a substantial reduction in the number of spindles and looms in place in Lancashire. Authorities disagree as to the exact figures, but there is no question as to the decline itself. The Cotton Spinners' and Manufacturers' Directory

in its lists showed a decline between the years 1917 and 1923 of 1,462,514 spindles and 17,122 looms. The estimate published by the International Cotton Bulletin is to the effect that the reduced spindleage, 1920-1923, amounted to over 2,000,000 spindles. * * *

"It was particularly commented upon in the cotton districts the great extent to which secondhand machinery was shipped overseas in the years 1921-22. The pent-up demand in the Far East was so great, and the prospect of obtaining new machinery from British or other textile machinists so remote, that high prices were paid for machinery which had been running a number of years in Lancashire. Of course, the other factor—the actual wearing out of machinery—accounted for most of the net reduction in recent years. There is still a great need in Lancashire mills for the replacement of worn-out machinery and a still greater need for improved apparatus, automatic looms, etc.

"Lancashire mill managers are not only concerned about the gradual disappearance of machinery but they are worried about the shrinkage in the size of their work forces. It has recently been estimated that not more than 80 to 85 per cent of the looms in Lancashire could be operated if full-time operations became a rule in 1924. Boys and girls have not been going into the cotton trade in sufficient numbers to fill the gaps of the older people leaving it and the war-time losses have never been made up. This situation applies much more to the weaving sheds than it does to the spinning departments, as the spinning mills have been running at least part time through much of the depression, whereas weavers have found it much more feasible to close down entirely."

France: The International Cotton Bulletin of March, 1924, stated, "France, in direct contrast to the last census, is the only European country of importance to reduce her total cotton consumption during the half year under review." It contains the following report from French manufacturers:

"The condition of the weaving industry continues satisfactory. Until recently the spinning industry has lagged behind the weaving; however, in some cotton districts an appreciable improvement has taken place in this respect during the last few days. On the whole, stocks are small. In the present condition of things it is not anticipated that any organized short time will take place in the whole of the cotton districts within the near future. However, owing to wild fluctuations in the prices of the raw material and the high tension of the rates of exchange, it is impossible to foretell what the future of the cotton industry will be even within the next few days."

In the bulletin for September, 1923, the French manufacturers reported:

"Prices continue to leave only very little, if any, profit at all. Notwithstanding the perceptible increase in the price of cotton, owing to the rise in the rates of exchange, the average prices obtaining have hardly increased since the publication of the last bulletin."

Germany: The Textile Mercury (published at Manchester, England), in its issue of May 10, states:

"According to a Reuter telegram from Berlin dated May 4, spring business in the German cotton industry has generally been satisfactory. Home demand, it is true, is not so eager as during the first months of the year, and retail business is somewhat quieter, but no great falling off in demand is yet felt. Most mills have work in hand up to the third quarter of the year, some even to the end of the year. Employment, however, varies, 50 to 65 per cent of capacity being general, with 70 to 80 per cent at a large number of mills, and 100 per cent at a few. As regards export, the German mills are placed at a disadvantage by the high prices they are obliged to charge, due to their not having been able to purchase raw material before the rise in price and to the empty running at the mills. The further development of the industry will depend largely on the solution of the question of money and credit, and also on a mitigation of the policy of high prices and severe conditions followed by the combines in the textile industry."

India: The following extract is from the address of Mr. S. D. Saklatwala, chairman of the Bombay Millowners' Association, at the annual meeting on February 26, 1924, as reported in the Indian Textile Journal for March:

"The year that has just passed has clearly indicated to us that we are now drawing very close to the pre-war level of profits, and, perhaps, before normality has established itself our industry may pass through a still more critical time during the current year. Indeed, gentlemen, we are now feeling the effects of the aftermath of war. India can hardly hope to escape the gloom which seems to have enveloped countries with far greater staying powers than India. But the main reasons for this continued depression are, in my opinion, the stringency and uncertainty prevailing in the money market and an inclination on the part of buyers to wait with a view to be able to make a better bargain in the future."

Italy: The International Cotton Bulletin of March, 1924, contains the following report from Italian manufacturers:

"Although the demand is scarce, spinners and weavers have sufficient work to keep the machinery going a few months. In particular, weavers who produce fancy goods and cloths containing artificial silk are sufficiently engaged, whilst those working on gray cloth, shirtings,

and such like, are rather short of orders. No organized stoppage is in force, but many mills are working short time, especially those weaving gray cloth. On the whole, the position is sound, and statistics show that stocks are small. It is hoped that a stronger demand will arise with the coming season, but with such an unsettled raw-cotton market the prospects are uncertain."

Spain: The International Cotton Bulletin of March, 1924, contains the following report from Spanish manufacturers:

"The demand for goods is now at a standstill. Stagnation affects, at most, about 40 per cent of the production, with a tendency to increase. Amongst the principal causes of the dullness of trade the following deserve mention:

"1. The reduced consuming capacity of the country, owing to the general depression of business and to the losses suffered in and after the year 1921.

"2. The disproportion existing between wages, especially agricultural wages, and the cost of living. In consequence of this the agricultural worker does not possess any margin for expenditure on clothing.

"3. The depression in the world's economic situation, causing a suspension of Spain's foreign trade. The present industrial crisis has inevitably forced down sale prices in order to enable the sale of current production, leaving a profit which scarcely covers general costs and in some cases of sales from stock leaves no profit at all.

"As long as these conditions persist prosperity is improbable; but, at the same time, a general deterioration is not looked for unless new difficulties arise."

Brazil: The United States trade commissioner at Rio de Janeiro reported May 24, 1924, as follows:

"The market for cotton goods in Rio de Janeiro has shown a general slackening, due to the course of the foreign exchange market and the general falling off in domestic business."

Belgium: The International Cotton Bulletin of March, 1924, contains the following report from Belgian manufacturers:

"The demand for cloth is very limited in this country owing to the high current prices of the Belgian franc. The depreciation of our currency is, on the other hand, favorable to export business. In cotton-spinning mills orders are renewed regularly; and although the orders booked are not very important, there is no reason to consider a reduction in the hours of work for the present. The fluctuations in the rates of exchange enforce on certain days a stoppage of sales, buyers and sellers finding it impossible to cover themselves promptly enough."

Switzerland: The International Cotton Bulletin of March, 1924, contains the following report from Swiss manufacturers:

"The demand is, on the whole, fairly satisfactory. No important changes have taken place. The number of those establishments which, by special permission, are allowed to work 52 instead of 48 hours a week has, however, somewhat increased, and resulted in a corresponding increase in the wages of the workers in those establishments."

Poland: The International Cotton Bulletin of March, 1924, contains the following report from Polish manufacturers:

"The demand is now very small, and this has led to curtailment of production. This state of affairs is caused by the general economic crisis in Poland, which is associated with the stabilization of the Polish mark and the efforts of our Government to improve the finances of the State. Under these circumstances the profits of the manufacturers are nil, or, at the most, very small indeed. We do not see any hope of an immediate improvement of things. In our opinion the crisis will be a long one, as was the case under somewhat similar conditions in Austria."

Austria: The United States Assistant Trade Commissioner at Vienna reported, May 9, 1924, as follows:

"The textile industry, with few exceptions, is suffering greatly from the shortage of money, which has become very acute. Dealers are neither able to collect outstanding debts nor to sell their stocks; consequently the industry receives few orders, so that stagnation is most pronounced. The ever-fluctuating price of American cotton also tends to prevent sound business operations. Print works are reported busy on specialties, with no orders for staple printed fabrics."

II

"To what extent and for how long a period has the present depression in the cotton manufacturing industry of this country been apparent?"

The present depression in the cotton manufacturing industry of the United States has been apparent for about 11 months, from July, 1923, to May, 1924, inclusive.

This statement is supported by two tables included herewith. Table 2 (see Appendix) shows the bales of cotton consumed by American mills, and Table 3 shows activity in the cotton-spinning industry of the United States. These tables show that cotton consumption and spindle activity were unusually high in the nine months from October, 1922, to June, 1923, inclusive, but that in July of 1923 there was a sharp drop in cotton consumption and in spindle activity and that both of these, although fluctuating from month to month, have since continued on a generally lower level.

As to the extent of the present depression, answer depends on what factor and what period is to be taken as a base. The total active spindle hours are reported each month by the Bureau of the Census (see Table 3) and can be taken, since there are no similar data as to loom activity, as the best available standard for comparison. Data are available only to April, 1924. The total active spindle hours during the 10 months from July, 1923, the beginning of the depression, through April, 1924, averaged 7,531,775,255. If we compare these figures with the average active spindle hours during the 10 months from July, 1922, through April, 1923, which amounted to 8,410,060,997, we find that the percentage of decline in spindle hours is 10.45.

Tables, which will be found in their proper place in the Appendix, further illustrate this aspect of the subject.

Table 4: Production and sales of fine cotton goods reported by 24 New Bedford mills.

Table 5: Average wholesale prices of raw cotton, cotton yarn, and cotton cloths; also index figures based on 1913, as reported by the Bureau of Labor Statistics.

Table 6: Wholesale prices of a standard print cloth and of bleached and printed cloths made therefrom; also cost of cotton used, as reported by a large mill each January 1 and July 1 since 1909, also wholesale prices of a standard gingham made of print cloth yarns.

Table 4 is a record of the production and sales of fine cotton goods reported by 24 New Bedford mills. This table is pertinent to the inquiry, although, owing to the relatively small production of fine goods in this country, it can not be taken as indicative of conditions in the industry as a whole. This table shows that there was a sharp decline in sales of fine goods by these mills in April, 1923, but that although volume of sales continued low in all but four of the subsequent months the production by these mills continued relatively high until April, 1924. The resulting accumulation of stock reflects clearly the falling off in demand.

In connection with the depression in the industry which began in July, 1923, as shown by tables 2 and 3, as well as by statements of the trade, it may be noted that in July, 1923, there was a sharp drop in the price of cotton, which was reflected in the prices obtainable for yarns and cloths. When cotton later increased in value the prices of the manufactured goods were not increased in the same proportion. This is shown in table 5, but inasmuch as the manufactures there shown are made of higher-priced cotton than the basic middling there quoted, table 6 is added to show the actual margins between the prices obtained for certain cloths and the costs of the cotton actually used therein as reported by a large manufacturer semiannually for a period of years.

In regard to the sharp fluctuations in cotton prices, the president of the National Association of Cotton Manufacturers, in a recent report to his association, remarked:

"Looking back over the last two years, spot cotton ranged from 17.75 cents in April, 1922, to 31.30 cents in March, 1923, down to 22.45 cents in July, 1923, up to 37.65 cents last December, and recently down to 27.05 cents. Future quotations on the New York Exchange have been even more erratic than the spot prices."

It may be noted that Fall River manufactures mainly print cloth and that these goods are exported in large quantities; such competition as it experiences is from the southern mills, as there is no competition from imports. New Bedford, on the other hand, manufactures mainly fine goods and such competition as it experiences is mainly from abroad.

In view of these facts, it is interesting to know that Sanford & Kelley, New Bedford and Fall River stock brokers, in an annual review of the cotton-mill situation at these two places, have expressed the opinion that the Fall River coarse-goods mills had a very difficult time during the year 1923, as there was little or no manufacturing profit available in the industry as conducted at Fall River, whereas the cloth mills in New Bedford had a very good year in 1923.

III

"What is the quantity and value of cotton cloth imported into and exported from the United States under the present tariff act as compared with those under the act of 1909?"

The total quantity and value of countable cotton cloths (which are the only kinds to which the resolution is understood to relate) imported and exported under the act of 1922 and under preceding acts have been as follows:

Countable cotton cloths—Totals by tariff acts

Tariff acts	Imports for consumption		Domestic exports	
	Square yards	Dollars	Linear yards	Dollars
Act of 1890 (1,422 days)	138,900,131	17,700,971	692,327,427	443,490,967
Act of 1894 (1,062 days)	128,460,567	15,303,496	714,862,821	40,041,716
Act of 1897 (4,394 days)	719,356,561	107,076,077	4,842,985,875	272,569,864
Act of 1909 (1,520 days)	211,151,294	34,165,180	1,659,366,021	112,214,391
Act of 1913 (3,275 days)	687,466,248	188,372,194	5,443,867,022	857,046,365
Act of 1922 (557 days) ¹	294,900,445	64,990,053	² 690,194,071	117,927,995

¹ For period from Sept. 22, 1922, to Mar. 31, 1924, inclusive, for which data are available.

² Square yards.

Reducing the above to a uniform basis, the year of 365 days, there is obtained the following contrast:

Countable cotton cloths—Average per year of 365 days

Annual averages	Imports for consumption		Domestic exports	
	Square yards	Dollars	Linear yards	Dollars
Act of 1890	35,421,975	4,543,598	177,707,110	11,163,203
Act of 1894	44,150,760	5,259,676	245,692,024	13,761,983
Act of 1897	59,755,381	8,894,576	492,287,971	22,641,784
Act of 1909	50,704,094	8,204,139	398,466,183	26,946,219
Act of 1913	76,618,376	20,994,153	606,721,057	95,518,144
Act of 1922 ¹	199,247,150	42,587,737	² 452,281,573	76,688,004

¹ For period from Sept. 22, 1922, to Mar. 31, 1924, inclusive, for which data are available.

² Square yards.

The figures for the five tariff acts prior to the act of 1922 show that the general tendency has been for the foreign trade, both export and import, of the United States in countable cotton cloths to increase. Under each of these successive tariff acts the rate of increase has been more marked in exports than in imports. Under the act of 1922 the increase in imports has been accentuated, whereas there has occurred a decrease in exports; this act, however, has been in operation not much over a year and a half. It is therefore too early to state that this marks a permanent reversal of the condition of a continually widening margin of exports over imports which is shown by the figures for the five preceding acts.

In amplification of the above answer there are attached tables 7 and 8. Table 7 shows imports for consumption for each year and fraction of a year under the tariff acts of 1890, 1894, 1897, 1909, 1913, and 1922, with details as to quantity, value, duty collected, value per unit, and the rate of duty, the last stated on both the ad valorem and the specific basis. Table 8 shows the quantity and value of domestic exports for each year and fraction of a year under the tariff acts above mentioned.

IV

"What is the percentage of imports and exports, as compared to the domestic production, of cotton cloth in the census years 1909, 1914, 1919, 1921, and 1923?"

The data are as follows:

Countable cotton cloths—Relation of imports and exports to production

Year	Quantity			Value		
	Volume of production	Relation of imports to production	Relation of exports to production	Volume of production	Relation of imports to production	Relation of exports to production
	Square yards	Per cent	Per cent	Dollars	Per cent	Per cent
1899	3,003,012,007	1.05	3.55	191,933,218	2.09	4.41
1899	4,433,932,327	1.22	8.36	230,015,368	3.00	8.25
1904	4,933,561,905	1.02	4.51	300,094,149	2.68	4.90
1909	6,121,311,718	1.13	5.41	424,578,252	2.47	5.11
1914	6,569,118,359	.89	5.68	456,522,694	2.52	6.32
1919	5,683,359,767	.84	10.82	1,128,819,078	1.32	13.47
1921	6,097,714,645	1.84	8.14	707,486,207	4.77	10.12
1923 ¹						

¹ Production data not available.

The Bureau of Census states that the compilation of production data for 1923 has not been completed. For this reason production and import and export percentages are not given for 1923 in the foregoing table. Using the latest production figures, those for 1921, as a tentative base for 1923, imports in 1923 were 3.38 per cent in quantity and 6.33 per cent in value, whereas exports were 7.61 per cent in quantity and 11.21 per cent in value. Since the consumption of cotton in the calendar year 1923 was greater than in the calendar year 1921, it is probable that when all the figures become available the quantity and value of cotton-cloth production will be found to be greater, in which case the actual percentages for 1923 will prove to be smaller than those indicated.

Exports from the United States have exceeded imports in every year since 1875. The bulk of the exported cloths are woven of coarse or medium numbers of yarn, whereas the bulk of the imported cloths are woven of fine yarns.

Table 9 shows domestic production and imports and exports by years, from 1889 to 1923, inclusive. Tables 10 and 11 show in detail the census records of production of the various cloths; these two tables show the derivation of the figures used above for the production of countable cotton cloths. Export data are given only for countable cotton cloths, and exports of special fabrics, such as pile fabrics, etc., are not recorded thereunder, some being listed separately and some being lumped with "manufactures of cotton n. s. p. f." To obtain a correct comparison, cotton cloths provided for ex nomine, also articles such as towels and blankets, have been excluded from the production and import as well as the export figures. The data as shown, therefore, relate solely to countable cotton cloths such as are now dutiable in paragraphs 903 and 906 of the tariff act of 1922.

V

What types of cotton cloth constitute the bulk of the import trade, and are these cloths similar or different in character from those produced in this country?

The types of cotton cloth predominating in the import trade vary from time to time. For a number of years prior to the World War, in fact until about 1920, the leading cloth imported consisted of dyed Venetians; these were eight-harness warp sateens, with a silk-like finish imparted by secret processes. They were very popular as linings. The next largest import was of medium-fine and fine plain white goods, such as muslins, cambrics, mainsooks, lawns, and organdies. There were substantial importations of fine shirtings and gingham, of dotted Swisses, of rafines, voiles, piques, filling sateens, typewriter cambrics, poplins, and plain and novelty dress goods. Colored goods predominated, followed by bleached goods, whereas imports of gray goods were relatively small.

In 1920 voiles constituted the main import. Fine plains ranked next in the imports of cloths.

Beginning with 1920 imports increased both in quantity and in value. This increase has been due mainly to the larger importations of fine-yarn goods; in 1913, for instance, cloths woven of fine yarns, above 40s in average yarn number, constituted less than one-half of the total, whereas in 1923 they constituted over two-thirds of the total. The most striking postwar changes have been three: The decline in imports of the eight-harness warp Venetians; the increase in imports of five-harness warp sateens made of fine yarns; and the great popularity of a new fabric that has been named "cotton broadcloth."

The main cotton cloths now imported are as follows: (1) Cotton "broadcloth" shirtings, (2) fine combed warp sateen, (3) voiles, and (4) fine plains (lawns, organdies, mainsooks, cambrics, etc., of average yarn number over 40's). These four types constituted over three-fourths of the total import during 1923 and 1924 to date. Cloths imported in smaller but appreciable quantities have included rafines, Japanese crêpe, venetians, fine gingham, dotted Swisses, and fancy-woven fabrics. Gray goods have predominated, with colored goods second, and bleached goods last. (For descriptive detail of the cloths referred to see Exhibit A, Appendix.)

The increased proportion of goods entered in the gray has probably been due in part to the lower rates of duty, in the present as in other acts, applicable to unfinished goods. In larger part, however, it has been due to the improvement during the last decade in the finishing facilities in this country for such cloths. One advantage in importing in the gray is that the goods can be finished here as desired to meet the changing demands of the market. It is claimed in the trade that charges for finishing are as low in the United States as in England; this is in line with the facts found by the Tariff Board as far back as 1911. No recent investigation of finishing costs has been made by the Tariff Commission either in the United States or in England.

In answer to the second part of the inquiry it can be stated that a large portion of the imported cloths are entirely different in character from cloths produced in this country. Most of the other imported cloths are similar in general character to domestic fabrics but usually differ therefrom by reason of the type of cotton used, the type of spinning used, variations in design, or variations in finish.

In general, it may be said that the great bulk of the domestic fabrics are woven of yarns ring spun from American cotton, whereas the great bulk of the imports are woven of yarns mule spun from Egyptian cotton. This basic difference results in the imported goods having in general a better "cover" and a smoother feel than the domestic, although the latter will in many instances prove more durable. Swivel-woven cloths, including the genuine dotted Swisses, are not produced in this country, and there is practically no domestic production of fabrics made of yarns above 120's except such as are woven with imported yarns. Japanese crêpe, made of harsh Indian and Chinese cottons, is also different in character from any domestic crêpe. Attempts have been made by American manufacturers to produce several other specialties, such as Penelope canvas, but the efforts have been given up because of the extra care and slow rate of production involved in their manufacture and consequent higher labor cost.

There is domestic production of cotton broadcloth shirtings, fine-combed warp sateens, voiles, and fine plains (other than the extreme fine plains), the four types now constituting the bulk of the imports; also in the case of gingham. In each of these instances, however, aside from the fact that the imported fabrics are usually made of mule-spun Egyptian cotton and the domestic of ring-spun American cotton, the great bulk of the domestic production is of the lower grades. The imports are mainly of the finer grades. In other words, the market in the United States for the medium-fine goods is controlled by the domestic mills, whereas the market for the fine goods is divided between the imported and the domestic, with the market for the extremely fine goods entirely controlled by importers.

On practically no type of cloth made in bulk by the domestic mills is there serious competition from abroad. On such goods the American mills, aided by their much more extensive use of the automatic looms, not only control their domestic market but offer strong competition in foreign markets. These goods manufactured and exported in bulk include sheetings, print cloths, tobacco cloths, osaburgs, ducks, cotton flannels, coarse colored cottons (cottonades, denims, ticks, etc.), and gingham, made of carded yarns not finer than 40's; also certain finer goods, such as single voiles.

In general it may be said that on cloths that can be made of upland short-staple cotton, the spinning limit of which is about 40s, there is little or no competition from abroad. Such imported cloths made from coarse or medium yarns are mainly of the nature of specialties required in limited amounts. There is a large export and a substantial import trade. In the medium-fine range, goods made of yarns from 41s to 60s. In cloths made of fine yarns above 60s there is very little export trade, whereas imports are large. Imports of the extremely fine cloths monopolize the limited demand for such fine high-priced goods.

The United Kingdom supplies most of the cotton cloths imported by the United States. Table 12 contains British statistics of this trade and shows clearly the change from a pre-war predominance of piece-dyed and bleached goods to a post-war predominance of gray goods. Table 13 is appended to show imports by trade names of certain specified cloths. These data have been collected by the Treasury for publication by the Department of Commerce only since the middle of February, 1924. Table 14 gives imports for consumption during the calendar year 1923, and Table 15 imports for consumption during the first quarter of 1924. These two tables are compiled to show quantity and value of imports by yarn ranges. There is also attached Table 16, which shows imports by yarn ranges under the act of 1913 in comparison with those under the act of 1922. The post-war trend toward the importation of finer fabrics is very noticeable.

VI

"What are the main reasons for the importation of cotton cloths? In particular, are such imports due primarily to price or to quality?"

Among the main reasons for the importation of cotton cloths may be listed the following:

1. Quality: That portion of the population of the world which can afford fine cotton fabrics of high quality is accustomed to turn to England, France, or Switzerland to supply their requirements, and the United States is no exception to this rule. The superior quality of imported cotton cloths may be due to more care in manufacture, to the use of Egyptian cotton, to the use of mulespun yarns, to the use of flyer-twisted ply yarns, to differences in construction—for instance, to a larger number of threads, of finer yarns, than customary in the United States—to superior finish, or to other factors.

2. Reputation: Various imported fabrics are sold under trade-marks that have become familiar to the American public as a guaranty of established quality. In such instances the foreign fabric is bought because of reputation and often without knowledge as to whether the goods are of foreign or domestic origin. On the other hand, many goods are sold at high prices simply because they are marked "imported" and irrespective of the fact that domestic goods of equal or superior quality may be available at lower prices.

3. Lack of domestic production: The American cotton industry does not use swivel looms because of their slow rate of production and consequent higher labor cost. All swivel-woven cloths, including substantial amounts of swivel-decorated volles and crêpes, as well as the more staple "dotted Swisses," must therefore be imported at the present time. These goods are of Swiss or French origin and are produced mainly on hand looms in the homes. The American cotton industry spins but little warp yarn above 100s, and but little filling yarn above 120s, mainly because the demand is relatively so small that it would hardly pay the domestic manufacturer to undertake to produce them. Fine lawns, organdies, mulls, etc., made of the higher range of fine yarns must therefore be purchased abroad. The American cotton industry has no flyer-twisters, and therefore cloths such as fine-ply volles and fine-ply broadcloths, in which smooth and well-rounded ply yarns of fine counts are essential, must be imported. One domestic firm makes fabrics of quality equal to the imported cloths, using imported yarns, but its output is not sufficient to supply the domestic demand. Japanese crêpe, the only cloth imported from Japan in appreciable quantities, is made of Indian or Chinese cotton, and therefore has a peculiarly rough, strong feel. This type of crêpe is not produced in this country and is of a different character from the crêpes made of the softer American cotton produced in great quantities by the domestic mills. Included in the import trade are various other fabrics of which there is no domestic production.

4. Speciality demand: Much of the importation of cotton cloth from France consists of specialties. Substantial amounts of such specialties come from Switzerland and England, and smaller amounts from other countries. Such specialties cover a wide range, from voile or crêpe grounds, ornamented with novelty yarns, to staple shirting fabrics which are of a confined pattern and which the consumer of exclusive taste buys because he has the guaranty that it will be different. The domestic manufacturer, working on the "mass production" system, is unable to cater profitably to the demand for fabrics of any one type or design required in small amounts. In coultis for corsets, for instance, the American manufacturers supply the bulk demand, which is for smooth piece-dyed fabrics, whereas the smaller demand from custom corsetieres who want something different, is supplied entirely by importations from France of closer woven, rougher-finished coultis, woven of bleached yarns. Any imported specialty that attains a bulk demand is quickly reproduced by American producers, although usually in less expensive qualities by American mills. Illustrations of cotton cloths of comparatively recent origin, introduced as specialties but which now partake more of the nature of staples, are volles, Russian-cord shirtings, and broadcloths.

5. Lower price: The fact that the United States exports large quantities of cloths made of coarse and medium yarns, such as sheetings, drills, denims, tickings, crêpes, prints, gingham, etc., also medium fine fabrics such as single volles, tends to prove that the 1912 findings of the tariff board, to the effect that on such goods the American manufacturer, producing in bulk with the aid of the automatic loom, can compete successfully, are also true to-day. On the extremely fine range and in specialties, where American products are lacking or else produced in insufficient quantities, there is practically no direct price competition in the domestic market.

In the most directly competitive range, that from 40s to 100s average yarn numbers, price is a more important factor, but its relative importance varies according to the class of goods and also from time to time according to the trend of prices here and abroad. Prices in the United States and in England, the chief source of imported cloths, do not always show the same trend and at times in the two countries are much closer together than at others. For instance, from the fall of 1922 to the fall of 1923 the price of American raw cotton, although fluctuating sharply, tended upward, whereas the price of Egyptian raw cotton tended downward. The normal price relation between the two types of cotton was upset, with the result that during this period English yarns and cloths made of Egyptian cotton were, relative to American yarns and cloths made of American cotton, much lower in price than usual. Under such circumstances there was strong price competition on the American market in the competitive range of 40s to 100s average yarn numbers, and imports in this range increased considerably. However, the trade in fine plains was but little affected and the increase in imports was confined mainly to three cloths, namely, broadcloths, fine combed sateens, and volles. Broadcloth is of recent English development and has not yet become firmly established in American mills as an article of mass production. The demand for fine combed sateens had become, largely by reason of the increase in the use of bloomers, greater than the few domestic mills on such goods could supply. The competition on volles expressed itself in lower prices, and therefore larger sales, of the high-grade ply volles, which are made here by only one or two mills, and did not extend to direct competition on the single volles which continued to be made and exported in large quantities.

In the spring and early summer of 1924 conditions changed. American prices have gone down, whereas English prices have gone up, and

at the time of this report, in June, 1924, conditions appear to be rapidly returning to the normal status where imports have to be made on the basis of quality or other factor without the aid of lower prices. An investigation at New York shows that on most of the competitive cloths American manufacturers are now quoting prices lower than those at which the foreign goods can be landed with charges and duties paid.

To sum up, imports of cotton cloths are due primarily to the quality of certain grades rather than to general price competition. The relative importance of the price factor varies and at times it is the deciding factor on a limited number of fabrics, but normally, and at the date of this report, the more important factors appear to be quality, reputation, lack of domestic production, and specialty demand.

VII

"To what extent has the domestic industry been affected by the postwar increase in the importation of cotton cloths?"

This question is difficult to answer with certainty, for the reason that imports constitute but one of many factors that affect the demand for domestic fabrics, and for the further reason that a substantial proportion of the imported fabrics are of a type not made here at all or else not made here in sufficient quantities. If we assume, however, that each yard of imported cloth displaces a yard of domestic fabrics, then, since imports are now on the basis of about 200,000,000 square yards per annum, as compared with a pre-war basis of about 50,000,000 square yards, it would follow that domestic sales have been affected to the extent of approximately 150,000,000 square yards. If the total domestic production be taken as 6,500,000,000 square yards, this postwar increase of 150,000,000 square yards amounts of 2.3 per cent of the total output.

Any attempt to examine more precisely the effect of imports as regards various cloths or groups of cloths involves more or less estimate and conjecture. Even for cloths imports of which are recorded by trade names no accurate contrast is possible. In few cases is there similar record of the domestic production. For instance, the census figures do not record broadcloths separate from other plain-woven fabrics and do not record fine-combed sateens separate from twills and sateens of all kinds. In some cases, such as gingham and volles, figures are available for both production and imports; but here, again, as imports are mainly of the finer types, whereas the bulk of domestic production is of the coarse or medium types, sufficient data are not available to permit the desired comparison.

On the basis of such data as are available it seems reasonable to assume that the domestic output of fine cloths, made of yarns averaging above 40s, constitutes about 20 per cent of the total square yards produced in this country. If this total be approximately 6,500,000,000 square yards, there is then obtained the following comparison of the competition experienced by fine cloths and by other cloths in 1923:

	Estimated production	Actual imports	Imports, of production
	<i>Sq. yds.</i>	<i>Sq. yds.</i>	<i>Per cent</i>
Coarse and medium cloths.....	5,200,000,000	56,036,607	1.08
Fine cloths.....	1,300,000,000	150,110,173	11.55
Total.....	6,500,000,000	206,146,780	

Included in the imports of fine goods are some made with yarns finer than any produced in this country. Some of the coarser goods, such as the Japanese crêpes, are also made of yarns different from any produced in this country. It may therefore be assumed, as an approximation of the true condition, that imports of coarse and medium cloths now constitute about 1 per cent of the domestic production of such cloths and imports of fine goods about 10 per cent of the production of such cloths.

VIII

"Would changes in the present tariff rates on cotton cloths be of material assistance in stimulating production and restoring prosperity to the industry?"

The commission has as yet made no investigation of the difference in costs of production of cotton cloths here and abroad, and if such an investigation were to be made it could hardly be completed within less than a year. It is the general opinion, as stated by authorities in the industry, that domestic and foreign, particularly British, selling prices are to-day very close to actual costs, but in the absence of verified domestic and foreign costs of production required by section 315 of the tariff act of 1922 the commission does not feel warranted in suggesting readjustments in the duties on cotton cloths.

Information for use in a consideration of this inquiry is furnished by Table 17, which shows not only the value of the 1923 imports but also the revenue collected and the average rates of duty by yarn ranges; by Table 18, which shows the amount and value of that portion of the 1923 imports that were dutiable at the maximum rate of 45 per

cent ad valorem; and by Chart D, which is a graphical illustration of the rates of duty on cotton yarns and on countable cotton cloths, as arranged in the acts of 1922 and 1913.

THOMAS O. MARVIN, *Chairman*.
W. S. CULBERTSON, *Vice Chairman*.
DAVID J. LEWIS, *Commissioner*.
EDWARD P. COSTIGAN, *Commissioner*.
W. BURGESS, *Commissioner*.
HENRY H. GLASSIE, *Commissioner*.

INVESTIGATION OF NORTHERN PACIFIC LAND GRANTS

The PRESIDENT pro tempore. The Chair announces that he has appointed the following members of the joint committee under House Joint Resolution No. 237:

The Senator from North Dakota [Mr. LADD], the Senator from South Dakota [Mr. NORBECK], the Senator from Missouri [Mr. SPENCER], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Colorado [Mr. ADAMS].

AGRICULTURE THE BASIC INDUSTRY

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 107) declaring agriculture to be the basic industry of the country, and for other purposes.

Mr. SMITH. I move that the Senate disagree to the amendments of the House, ask for a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. SMITH, Mr. PITTMAN, and Mr. CUMMINS conferees on the part of the Senate.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated below:

H. R. 646. An act to make valid and enforceable written provisions or agreements for arbitration of disputes arising out of contracts, maritime transactions, or commerce among the States or Territories or with foreign nations; to the Committee on Commerce.

H. R. 26. An act to compensate the Chippewa Indians of Minnesota for lands disposed of under the provisions of the free homestead act; and

H. R. 8086. An act to amend the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915," approved August 1, 1914; to the Committee on Indian Affairs.

H. J. Res. 283. Joint resolution (H. J. Res. 283) to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921; to the Committee on Immigration.

INSPECTION OF RAILWAY LOCOMOTIVES

Mr. SMITH. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 8578) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended. It is a matter of very vital importance, and there is no amendment to the bill. It is a question of providing adequate means for the proper inspection of railway locomotives. It is recommended by the President, by the Budget, and by the Interstate Commerce Commission.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill which was read as follows:

Be it enacted, etc., That the first sentence of section 1 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended, is amended to read as follows:

"That when used in this act the terms 'carrier' and 'common carrier' mean a common carrier by railroad, or partly by railroad and partly by water, within the continental United States, subject to the interstate commerce act, as amended, excluding street, suburban, and interurban electric railways, unless operated as a part of a general railroad system of transportation."

SEC. 2. Section 2 of such act is amended to read as follows:

"SEC. 2. That it shall be unlawful for any carrier to use or permit to be used on its line any locomotive unless said locomotive, its boiler,

tender, and all parts and appurtenances thereof are in proper condition and safe to operate in the service to which the same are put, that the same may be employed in the active service of such carrier without unnecessary peril to life or limb, and unless said locomotive, its boiler, tender, and all parts and appurtenances thereof have been inspected from time to time in accordance with the provisions of this act and are able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for."

SEC. 3. The last sentence of section 3 of such act is amended to read as follows:

"The office of the chief inspector shall be in Washington, D. C., and the Interstate Commerce Commission shall provide such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his said assistants may require."

SEC. 4. Section 4 of such act is amended by adding thereto a new paragraph to read as follows:

"Within the appropriations therefor and subject to the provisions of this act, the Interstate Commerce Commission may appoint, from time to time, not more than 15 inspectors in addition to the number authorized in the first paragraph of this section, as the needs of the service may require. Any inspector appointed under this paragraph shall be so assigned by the chief inspector that his service will be most effective."

SEC. 5. Section 10 of such act is hereby repealed.

SEC. 6. Hereafter the salary of the chief inspector shall be \$6,000 per year; the salary of each assistant chief inspector shall be \$5,000 per year; the salary of each inspector shall be \$3,600 per year; and the annual allowance for each inspector for office rent, stationery, and clerical assistance, fixed by the Interstate Commerce Commission, shall not exceed \$1,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. WARREN. Mr. President, I have a very important conference report for which I ask immediate consideration. Unless we can give early attention to the matter, the entire bill, carrying about \$200,000,000, will fail, because we are in disagreement on quite a number of items.

The PRESIDENT pro tempore. The Chair is of the opinion that the conference report has precedence.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives to the bill (H. R. 9559) as follows:

IN THE HOUSE OF REPRESENTATIVES,

June 7, 1924.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 37 and 39 to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes and concurs therein.

That the House insists upon its disagreement to the amendments of the Senate numbered 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 58, and 59;

That the House agrees to a further conference requested by the Senate on the disagreeing votes of the two Houses thereon; and

That Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee are appointed managers on the part of the House at the further conference.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 8, 9, 12, 13, 14, 20, 24, 41, 42, 49, and 57.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 11, 16, 17, 19, 22, 25, 26, 38, 40, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, and 56, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"SENATE

"For miscellaneous items, exclusive of labor, fiscal year 1924, \$50,000.

"For payment for services rendered the Senate or committees thereof, as follows: John G. Holland, jr., \$250; Ernest K. Hill,

\$250; Fred A. Eckstein, \$860; Albert Reid, \$125; Alexander K. Meek, \$1,200; Louis Bose, \$40; U. G. Gordon, \$40, and James F. Sellers, \$200; in all, \$2,965."

And the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: On page 2 of the bill, line 22, strike out "five" and insert in lieu thereof "six," and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In the matter inserted by said amendment strike out the following: "to be paid wholly out of the revenues of the District of Columbia," and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"For carrying out the provisions of the act entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment,' approved June 2, 1920, as amended by the act of June 5, 1924, for the fiscal year 1925, \$834,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$1,034,000, as authorized by the act approved June 2, 1920, as amended by the act approved June 5, 1924."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For additional hospital and out-patient dispensary facilities for patients of the United States Veterans' Bureau, and facilities for a permanent national training school for the blind at a cost not exceeding \$350,000, who are beneficiaries of the United States Veterans' Bureau, by purchase and remodeling or extension of existing plants, and by construction on sites now owned by the Government or on sites to be acquired by purchase, condemnation, gift, or otherwise, such hospitals and out-patient dispensary facilities to include the necessary buildings and auxiliary structures, mechanical equipment, approach work, roads, and trackage facilities leading thereto; and also to provide accommodation for officers, nurses, and attending personnel; and also to provide proper and suitable recreational centers, \$3,850,000, to remain available until June 30, 1925, and in addition to this amount obligations may be incurred for the purposes set forth in this paragraph not to exceed in the aggregate \$3,000,000. That not to exceed 3 per cent of the total of \$6,850,000 shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants at the customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the projects authorized herein and for the supervision of the execution thereof, and for traveling expenses and field-office equipment and supplies in connection therewith."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: Before the sum named in said amendment, insert: "fiscal year 1923"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 58, and 59.

F. E. WARREN,
CHARLES CURTIS,
W. L. JONES,
LEE S. OVERMAN,
WM. J. HARRIS,

Managers on the part of the Senate.

MARTIN B. MADDEN,
D. R. ANTHONY, Jr.,
JOSEPH W. BYRNS,

Managers on the part of the House.

Mr. WARREN. I move the adoption of the conference report.

Mr. ROBINSON. Mr. President, may I ask the Senator from Wyoming what are the outstanding amendments upon which no agreement has been reached?

Mr. WARREN. The outstanding amendments include every item that pertains to reclamation and farming interests. There are sundry others of which I can give the Senator a list.

Mr. NORRIS. Mr. President, I was interrupted and did not hear the Senator's answer to the Senator from Arkansas. Will he kindly repeat it as far as he has gone?

Mr. WARREN. So far as the items in disagreement are concerned, they are all in disagreement as to the reclamation and farming subjects. In addition to that are the items relating to the shale investigation, United States marshals in United States courts, the matter of the Leavenworth bridge, and also quite a number of minor matters, but the main ones I have stated.

Mr. REED of Pennsylvania. Mr. President, will the Senator state whether an agreement has been reached with reference to the Veterans' Bureau hospital item?

Mr. WARREN. There has been no agreement reached with reference to that item.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WARREN. Mr. President, I move that the Senate insist upon its amendments in disagreement, ask the House for a further conference, and that the Chair appoint the conferees on the part of the Senate on the disagreeing votes of the two houses.

The motion was agreed to; and the President pro tempore appointed Mr. WARREN, Mr. CURTIS, Mr. JONES of Washington, Mr. OVERMAN, and Mr. HARRIS conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a joint resolution (S. J. Res. 85) authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2887) authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 5318. An act to authorize an exchange of lands with the State of Washington;

H. R. 7996. An act to regulate and fix rates of pay for employees and officers of the Government Printing Office;

H. R. 7998. An act granting public lands to the city of Golden, Colo., to secure a supply of water for municipal and domestic purposes;

H. R. 8839. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes;

H. R. 9177. An act granting the consent of Congress to the counties of Kittitas and Grant, in the State of Washington, to construct a bridge across the Columbia River at or near Vantage Ferry, Wash.;

H. R. 9345. An act granting the consent of Congress for the construction of a bridge across the Ohio River between Vanderburgh County, Ind., and Henderson County, Ky.; and

H. R. 9429. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1925, and for other purposes.

PERSONAL EXPLANATION—WAR FINANCE CORPORATION LOANS

Mr. GOODING. Mr. President, I rise to a question of personal privilege. Last evening, in the closing hour of the session, which seemed to be a storm center, the junior Senator from Virginia [Mr. GLASS] made the charge that I had violated a Federal statute and was subject to a fine of \$3,000. I am quite sure if the Senator from Virginia had taken time to follow out the matter, or there had been a little better understanding, or the Senate had not been in such a commotion at the time, he would not have made that statement.

I send to the desk a letter from the general counsel of the War Finance Corporation and ask to have it read. It relates to my right or the right of any other Senator to participate, through a corporation, in the matter of the corporation securing loans from the War Finance Corporation.

The PRESIDENT pro tempore. Without objection, the letter will be read as requested.

The reading clerk read as follows:

WAR FINANCE CORPORATION,
THE TREASURY BUILDING,
Washington, June 7, 1924.

Hon. FRANK R. GOODING,
United States Senate.

MY DEAR SENATOR GOODING: You have asked me to confirm in writing the opinion which I expressed to you this morning as to the legality of certain loans made by the War Finance Corporation to a loan company, secured by the note of a corporation in which you are financially interested.

The loan in question was made to the Southern Idaho Loan Co., a livestock loan company, against its promissory note, secured by a number of notes of livestock growers, among them being a corporation in which I understand that you own a substantial stock interest.

Section 114 of the Penal Code makes it unlawful for any Member of Congress to "undertake, execute, hold, or enjoy in whole or in part, any contract or agreement made or entered into in behalf of the United States by any officer or person authorized to make contracts on its behalf."

Section 115 makes it unlawful for an officer of the United States, on behalf of the United States, to enter into any contract with any Member of Congress.

Section 116 provides that "nothing contained in the two preceding sections shall extend, or be construed to extend, to any contract or agreement made or entered into, or accepted by any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company."

Even if the sections above referred to are applicable to loans made by the War Finance Corporation, it is apparent that there has been no violation of law in the present case. The loan was made by the War Finance Corporation to a loan company which pledged as security a note of a corporation in which you held stock. There was, therefore, no contract made between yourself and the War Finance Corporation and the provision of section 116 relating to contracts with a corporation in which a Member of Congress may be interested expressly covers the case.

Moreover in the light of recent decisions of the United States Supreme Court, it is clear that a contract made by the War Finance Corporation is not a contract made on behalf of the United States with the meaning of penal provisions. The Supreme court has so held in the case of the United States Shipping Board Emergency Fleet Corporation (*U. S. v. Strang*, 254 U. S. 491), and the same reasoning is applicable to the War Finance Corporation, which is incorporated by special act of Congress. Indeed the War Finance Corporation act specifically provides that the United States is not liable for any obligation incurred by the corporation.

Of course, you understand that it is not a part of my official duties to give opinions upon the interpretations of the criminal statutes of the United States. It is, however, my duty, as general counsel of the War Finance Corporation, to ascertain that loans made by the War Finance Corporation are made in accordance with law, and from this point of view I can express with confidence the opinion that the transactions in question were not in violation of sections 114 to 116 of the Penal Code. The loans in question were made, as are all loans of the War Finance Corporation, in aid of the livestock industry as a whole, upon the merits of the security tendered and without regard to what individuals may be interested therein.

Yours very truly,

GERALD C. HENDERSON,
General Counsel.

Mr. GLASS. Mr. President, the Senator from Idaho has anticipated me in a statement which I would very cheerfully have made before the reading of the letter had I known that he proposed having the letter read.

Last evening in the confusion of the Senate Chamber I understood the Senator from Idaho to speak of this loan as his loan. When he did so, I recalled section 114 of the criminal statutes, which prohibits a Member of the Senate or of the House of Representatives from entering into a contract, directly or indirectly, with the United States Government. Subsequently I understood the Senator from Idaho to amend his statement by saying that a corporation with which he was connected had made the loan. I confess that that did not at the time modify my opinion, because I was not then aware of the fact that section 116 of the Criminal Code—which had not been brought to my attention, while section 114 had—expressly exempts Senators and Members of the House of Representatives from the operation of section 114 when they are merely stockholders in the corporation.

Therefore I perceive and frankly avow that to that extent I did the Senator from Idaho an injustice. I do not think he is amenable to the statute.

Mr. GOODING. Mr. President, I felt last night that the Senator from Virginia did not intend, of course, to cast any reflection on my acts in any way, because I had not willfully violated the law and the law had not been violated. I am glad to have him make the statement which he has that, in his opinion, I am completely exonerated from violating a Federal statute, because when I get through with my public service I am going to know in my own conscience that I have never intentionally violated any law of my country.

Mr. President, I am entitled to have Senate Resolution 208, in which I have asked for an investigation of my acts in connection with this loan, disposed of in some way or other by the Senate, and I therefore ask for its immediate consideration.

I will say, Mr. President, that I should like to have a member of the Committee to Audit and Control the Contingent Expenses of the Senate make a statement in regard to a letter which he received from the War Finance Corporation. It was charged that I had secured loans to the injury of the farmers of my State. No part of that is true. I spent more time in the early days of my service in the Senate in trying to secure relief for the farmers of my State through the War Finance Corporation than along any other line. There were some disappointments. The law did not go far enough to take care of the individual farmer, but in my State nearly 2,500 farmers were taken care of, and I know that it was more or less through my efforts that corporations were formed in Idaho that gave farmers an opportunity to secure loans, and in some communities the farmers were saved their homesteads.

I ask unanimous consent for the present consideration of Senate Resolution 208, to which I have referred.

The PRESIDENT pro tempore. The Senator from Idaho asks unanimous consent for the present consideration of the resolution. The Secretary will read the resolution.

The reading clerk read the resolution (S. Res. 208) submitted by Mr. GOODING on April 10, 1924, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the President of the Senate pro tempore is authorized to appoint a special committee of three Members of the Senate to investigate and report to the Senate as soon as practicable the facts in respect of the activities of the War Finance Corporation in distributing loans and advances for agricultural and livestock purposes in the State of Idaho, and particularly any alleged favoritism shown in such distribution to FRANK R. GOODING, a Senator from the State of Idaho, or any member of his family, or any of his business associates.

The committee is authorized to hold hearings, to sit during the sessions and recesses of the Sixty-eighth Congress, and to employ such stenographic and other assistants as it may deem advisable. The committee is further authorized to send for persons and papers; to require by subpoena the attendance of witnesses, the production of books, papers, and documents; to administer oaths; and to take testimony. Subpoenas for witnesses shall be issued under the signature of the chairman of the committee. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee shall be paid from the contingent fund of the Senate.

Mr. GOODING. I send to the desk a short letter from the War Finance Corporation, which I ask may be read, and then I shall have said my last word. I hope the Senate will take some action on the resolution.

The PRESIDENT pro tempore. The Secretary will read as requested.

The reading clerk read as follows:

(Personal)

WAR FINANCE CORPORATION,
April 25, 1924.

Hon. F. R. GOODING,
United States Senate.

MY DEAR SENATOR: Replying to your letter of April 22, would say that I do not find anywhere in our files any reference to an application made on behalf of the Canyon County Farm Bureau for a loan. If such an application was made, it would necessarily be made through one of the classes of financing organizations through which we are authorized under the law to make loans. Canyon County is within easy reaching distance of Boise, where the War Finance Corporation agency is located. Any inquiry made direct to this office would be referred to the local agency. I do not, however, find any correspondence from or in regard to the organization in question.

I find that on April 24, 1922, you wrote Hon. Dwight F. Davis, Director of the War Finance Corporation, and sent him letters from various Idaho people with regard to War Finance Corporation loans,

asking that the situation referred to be looked into. Congressman SMITH also wrote Mr. Meyer about the same time, and I find that Mr. Davis answered your letter the same day he received it. I think the matter referred to in that correspondence was all straightened out.

We do not, of course, know what inquiries may have been made of the Idaho agency, but I am satisfied that no one who approached the agency with reasonable security for an agricultural loan was discouraged or turned down. Possibly more banks could have applied for loans than did, but that is a matter over which the corporation had no control. The livestock loan companies in your State have been doing particularly good work. The last day or two a very considerable portion of the work of the corporation has been in the renewal and extension of loans of from \$100 to \$1,000, and averaging about \$300, on dairy cows through the Northside Live Stock Loan Co. at Jerome.

Yours very truly,

F. W. MONDELL.

P. S.—You will understand that this is not an official letter, but the facts are as stated.

F. W. M.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged—

Mr. ROBINSON. Mr. President, I suggest to the Senator from Tennessee that the Senator from Idaho, as a matter of privilege, is entitled to have the resolution which he has presented disposed of.

Mr. McKELLAR. I was seeking to do that. I was about to ask unanimous consent that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of the resolution, and that the resolution be agreed to.

The PRESIDENT pro tempore. Unanimous consent is asked that the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the further consideration of the resolution presented by the Senator from Idaho and that it be immediately considered. Is there objection? The Chair hears none.

The question is on agreeing to the resolution.

The resolution was agreed to.

POSTMASTERS AND POSTAL EMPLOYEES—VETO MESSAGE (S. DOC. NO. 149)

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States.

Mr. WALSH of Massachusetts. May I inquire if the message from the President is his veto of the postal employees' salary bill?

The PRESIDENT pro tempore. The Chair so understands, but the message will be read.

The message was read, and ordered to be printed as a Senate document, as follows:

To the Senate:

Herewith is returned, without approval, S. 1898, a bill "Reclassifying salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes."

This bill adds approximately \$68,000,000 to the annual expenditures of the Government. It makes no provision for raising this amount as postal revenue. The money must come from the pockets of the taxpayers. To the extent that we create further obligations which must be met from the moneys derived from taxation, to that extent do we reduce the possibility of further reduction in taxes. Before such obligations are created it should be conclusively shown that they are essential in the best interests of the Nation.

Government extravagance must stop. The people of the Nation are paying all that it is possible for them to pay. I have taken my position in relation to Government economy, which I have stated and restated until it is well known. I feel that that position ought to be consistent. I do not see how I can approve the large increase in expenditure of this kind, except on the plea of urgent necessity. It may be that some adjustments would be justified, but an organized effort by a great body of public employees to secure an indiscriminate increase in compensation should have the most searching scrutiny. The needs of the public, the ability of the people to pay, must have some consideration. These salaries had been adjusted three times since 1918, the last time in 1920. Since then the cost of living has decreased, rather than increased.

The postal service rendered the public is good. The service conditions under which the employees perform their duties are probably more satisfactory than ever before in the history of the Post Office Department. The Government has been solic-

itous of the welfare of postal employees. Their compensation has been the subject of several recent legislative acts and adjusted to scales of pay as favorable as any in the public service. The act of July 2, 1918, increased the compensation of clerks and carriers in post offices and railway postal clerks \$200 a year, and rural carriers \$240 a year. In addition there were increases in compensation to a large number of the supervisory force. The act of November 8, 1919, further increased the compensation of postal employees from \$100 to \$200 per annum. This was followed by the act of July 5, 1920, which provided further increases in compensation ranging from \$200 to \$300 for clerks and carriers and railway postal clerks, and \$260 for rural carriers. Substantial increases were also provided in the salaries of the supervisory force, ranging from \$200 to \$600 a year.

The effect of these increases in salary grades over those for the fiscal year 1918 was an increase of \$600 to clerks and carriers in post offices, \$500 to railway postal clerks, and \$600 to rural carriers.

By reason of these increases the Government has paid out during the fiscal years from 1919 to 1923 an additional aggregate of \$450,000,000 in salaries to postal employees above what would have been paid under the scale in effect before these changes, as follows:

During the fiscal year 1919	-----	\$33,202,600
During the fiscal year 1920	-----	68,901,000
During the fiscal year 1921	-----	110,756,000
During the fiscal year 1922	-----	114,256,000
During the fiscal year 1923	-----	123,256,000

It is apparent that the Government has dealt generously with this service.

As a result of these readjustments the average salaries for 1923 are—

Post-office clerks, \$1,751, increase of \$919 since 1909, or 110 per cent.

Post-office carriers, \$1,752.83, increase of \$862 since 1907, or 96 per cent.

Railway postal clerks, \$2,107, increase of \$946 since 1907, or 81 per cent.

Railway postal clerks, including travel allowance, \$2,292, increase of \$1,131 since 1907, or 97 per cent.

Rural carriers, \$1,849.52, increase of \$1,140 since 1907, or 160 per cent.

The average for all salaries of clerks now receiving from \$1,140 to \$2,040 per annum in the clerical, administrative, and fiscal services in all the departments in Washington will be approximately \$1,554 on July 1, 1924, under the provisions of the classification act of 1923. It is thus seen that the lowest average of the salaries of the postal employees in the field service is nearly \$200 more than the average for employees in the Government departments in Washington.

At the request of the committee which considered this legislation the Post Office Department made a special investigation of the range of salaries paid to persons employed in business institutions throughout the country and reported the results. These investigations covered representative cities ranging in population from 2,000 to over 5,000,000. It was found that in all cases of employees of a similar character the average salaries paid were much lower than those paid in the Postal Service.

The conditions under which employment is undertaken in the Postal Service and those under which it is undertaken in business are not altogether alike. The scale of salaries in the Postal Service should be sufficiently high to attract those who will make it a life work. This can not be done without providing for a salary high enough to enable the employee to take upon himself the obligations of citizenship and his place in society and render satisfactory service to the Government. Therefore it is just to pay to postal employees a scale of wages that is somewhat higher than the scale paid to employees in the business world.

I am informed there is generally no difficulty in maintaining lists of eligibles to fill vacancies. There are certain localities where difficulty exists, these localities being almost without exception large cities and industrial communities affected in the one case by high costs of living due to metropolitan conditions, and in the other case by the higher wage scale and living costs. But there are approximately 6,000 eligibles on the civil-service list at the present time to fill vacancies in the Railway Mail Service, and there were 25,000 applicants for the examination held throughout the country by the Civil Service Commission on May 3.

This bill increases the salaries of all postmasters excepting those at offices of the first class. It increases the salaries of supervisory officers in post offices, post-office inspectors,

and the officers of the Railway Mail Service \$300 each, and in some instances more. It increases the salaries of clerks and carriers \$300 each and of rural carriers on the average \$293 for each carrier on a standard route. These increases apply alike to all classes of post offices. They ignore the fact that there is a wide difference in the cost of living in the larger cities and industrial centers as compared with the smaller cities and towns. If there is real need for revision of salaries in the Postal Service, it is to provide a wage differential for those employees serving in post offices located in the large cities and industrial centers. There is no justification for increasing salaries to apply to all offices when the need for such increases does not apply to a large number of the offices. Aside from this, no provision is made in this bill for raising the money which would be required to meet the additional expenditures which it proposes. Under its provisions we would be required to take an additional amount of approximately \$68,000,000 per year from the moneys paid by the taxpayers and pass it on to the employees of the Postal Service. Certainly the interests of the people demand that any legislation increasing the cost of the Postal Service should give consideration to the raising of the moneys necessary to defray the additional cost.

For the fiscal year 1923 the postal revenues were \$32,000,000 less than the cost of the service for that year. This deficit had to be met from the moneys paid by the taxpayers. We should not add to the amount of the postal deficit, as is proposed by this bill, but should attempt as a sound business principle to have the users of the mails approximately pay the cost of the service. The law gives the Postmaster General the power, with the approval of the Interstate Commerce Commission, to increase parcel-post rates. Even if the proposed increase of \$68,000,000 contemplated by this bill was justified, it would not only be unfair to the users of the parcel post to recoup the whole amount in that manner, but it would be wholly impracticable to secure it from the parcel-post business without destroying that service. The farmers, who are the largest users of parcel post, are not in a position to contribute a large sum to the postal employees.

The Post Office Department is now engaged by direction of Congress in a cost ascertainment for which half a million dollars was appropriated. This inquiry has been prosecuted with diligence and is nearing completion. When the results of this inquiry are available they will form the basis for an intelligent consideration by the Postmaster General and by Congress of all questions relating to the adequacy of postage rates. They will afford a proper basis for consideration of the relation of the cost of the Postal Service and the revenues derived therefrom. The time has arrived to consider putting the Postal Service on a sound business basis, so far as expenditures and revenues are concerned. It is apparent that the matter of increasing the salaries of postal employees should be considered in connection with the ways and means whereby the postal revenues may be correspondingly increased, not apart therefrom. This report will be available when the Congress convenes in December, and this matter can then be considered.

If that provision stood alone, I should approve that part of the bill relating to campaign funds.

CALVIN COOLIDGE.

THE WHITE HOUSE, June 7, 1924.

REMISSION OF CUSTOMS DUTIES ON GOVERNMENT PROPERTY

Mr. KING obtained the floor.

Mr. SMOOT. Mr. President, will my colleague yield to enable me to report a House bill?

Mr. KING. If I do not lose the floor.

Mr. SMOOT. If there is the least objection to it, I will withdraw it.

Mr. KING. If it is privileged, I yield.

Mr. SMOOT. Mr. President, last evening the House passed House bill 9111, a bill directing the remission of customs duties on certain property of the United States imported by the War Department. The War Department has imported \$616,696,731 of war material into the United States. In order to give the customs officials legal authority for free entry of all dutiable supplies so returned, I ask that this bill, passed by the House yesterday, be considered and passed here.

Mr. KING. Mr. President, if I do not lose the floor, I yield.

The PRESIDENT pro tempore. The Chair was about to state the question when the Senator from Utah arose. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding?

Mr. KING. Mr. President—

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the senior Senator from Utah?

Mr. KING. I shall not yield for that purpose if it jeopardizes my right to hold the floor.

The PRESIDENT pro tempore. The Chair will hold that the Senator from Utah retains the floor.

Mr. KING. I have no objection, then.

The PRESIDENT pro tempore. The Chair hears no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9111) directing the remission of customs duties on certain property of the United States imported by the War Department, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to remit all unpaid customs duties on material belonging to the United States and heretofore imported into the United States by the War Department.

Mr. WALSH of Massachusetts. Mr. President, I should like to inquire what is the nature of the property that has been imported by the War Department, in a general way?

Mr. SMOOT. I will tell the Senator. From France, between November 11, 1918, and November 11, 1919, there were imported airplanes and spare parts, balloons and balloon supplies, aviators' clothing, hydrographic and photographic material, to the extent of \$29,997,120.

Mr. WALSH of Massachusetts. Is it new material purchased abroad?

Mr. SMOOT. No.

Mr. WALSH of Massachusetts. It is material the Government has had in France and is bringing back?

Mr. SMOOT. That is exactly what it is.

Mr. WALSH of Massachusetts. So there is no new material involved?

Mr. SMOOT. Not a dollar's worth.

Mr. WALSH of Massachusetts. I have no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

The PRESIDENT pro tempore. The Chair desires to say, without taking the Senator from Utah off the floor, that it is within the power of the Senate, if it so desires, to fix some other time for the consideration of the veto message.

Mr. KING. I do not yield for that purpose.

Mr. President, a few days ago, as I was proceeding to state, the Senate passed—

Mr. BURSUM. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. KING. I yield for a question, if I do not jeopardize my standing.

Mr. BURSUM. Will the Senator yield to permit me to take up a conference report?

Mr. KING. Mr. President, is that privileged?

Mr. BURSUM. Yes.

Mr. KING. Will the conference report have a privileged status?

The PRESIDENT pro tempore. The conference report is privileged for the purpose of presenting it.

Mr. McKELLAR. Mr. President, if the Senator yields the floor for that purpose, it will take him off the floor.

Mr. KING. Then, if that is true, I should not care to yield for that purpose.

Mr. McKELLAR. That is what it will do.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. BURSUM. Did I understand the Senator to yield or not to yield?

Mr. KING. I was advised, in response to what the Senator said, that if I should yield I would lose the right to the floor upon the conclusion of the consideration of that report, and in view of that fact I can not yield. I regret it, because I should be glad to yield.

The PRESIDENT pro tempore. The Chair did not hold that.

Mr. KING. I beg the Chair's pardon.

The PRESIDENT pro tempore. The Senator from Tennessee held that.

Mr. KING. May I inquire of the Chair, because I feel that conference reports are entitled to consideration, whether I will jeopardize my right to resume the floor if I yield for the consideration of a conference report?

The PRESIDENT pro tempore. The Chair is of the opinion that the veto message is the question before the Senate until

it is otherwise disposed of, and that the Senator would not lose his right to the floor by yielding for the purpose of considering the conference report, assuming it is done by unanimous consent.

Mr. McKELLAR. If it takes unanimous consent, I object.

The PRESIDENT pro tempore. It does not take unanimous consent to present the report. It requires the action of the Senate to proceed to the consideration of the report.

Mr. ROBINSON and Mr. BURSUM addressed the Chair.

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. KING. I yield to the Senator from Arkansas for a question.

Mr. ROBINSON. The Senator from Tennessee [Mr. McKELLAR] indicated a few moments ago that he desired to request consideration of unobjected bills upon the calendar under Rule VIII for a period of two hours. I am wondering if an arrangement of that kind can be effected. I am not submitting any request for unanimous consent. I understand he intends to do so.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. ROBINSON. Would the Senator from Utah object to an arrangement by which the Senate could proceed, after the consideration of the conference report, to the consideration of unobjected bills on the calendar under Rule VIII for a period of two hours? I have no right to submit the request in the Senator's time unless he yields for that purpose.

Mr. KING. I should be very happy to, with the consent of the Senator from Maine, but I feel under moral obligations to carry out a promise which I made, so I can not, without his consent.

Mr. NORRIS. May I interrupt the Senator?

Mr. KING. I yield to the Senator for a question.

Mr. NORRIS. I wanted to ask the Senator if he would not be willing to yield so that we could have morning business? We adjourned last night, and there are a few reports of committees ready for submission. I know I am interested in one from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. ROBINSON. I suggest—

Mr. KING. I yield to the Senator from Arkansas for a question.

Mr. ROBINSON. That we can have morning business disposed of without regard to the desire of the Senator who has the floor.

Mr. NORRIS. I do not want to take the Senator off his feet.

Mr. ROBINSON. The Senator would not want to interfere with the morning business?

Mr. KING. No.

Mr. NORRIS. I would rather have an understanding in regard to it.

Mr. KING. Let me say to the Senate, in all candor, that a bill was passed the other day, the naval bill, authorizing the expenditure of a very large sum of money. It was passed at a time when, in my judgment, it should not have been passed. There was no opportunity given for several of us who desire to debate it to present our views. The Senator from Idaho [Mr. BORAH] was here on guard—if I may use the expression—and I left the Chamber only for a moment, with the understanding that the Senator from Idaho would remain here—

Mr. ASHURST. Will the Senator yield to me at that juncture?

Mr. KING. Let me complete the sentence. I understood the Senator from Idaho would remain here, for the purpose of objecting to the passage of the bill at that time, or obtaining sufficient time for reasonable debate. The Senator from Idaho asked the leader upon the other side, the Senator from Kansas [Mr. CURTIS], whether anything would be taken up after the conclusion of the bill then under consideration, and I am advised by the Senator from Idaho that the information was conveyed to him that the Senate would proceed immediately to the consideration of executive business.

Mr. BORAH. Just a moment.

Mr. KING. I yield.

Mr. BORAH. The situation, as I understood it, was this, that the naval bill was to be made the unfinished business, and then, after it was made the unfinished business, we were to take up executive business.

Mr. KING. I am glad to be corrected. At any rate, the Senator from Idaho received such assurances that he felt perfectly at ease, and left the Chamber. I returned to the Chamber within five or six minutes and discovered that the bill had been passed without a moment's consideration. Perhaps its title was read.

Mr. HALE. Mr. President—

Mr. KING. I thereupon moved to reconsider the vote by which the bill had passed, and the motion for reconsideration is pending.

I stated to the Senator from Maine, as he had a right, of course, to have the motion for reconsideration disposed of at an early date, that I would seek recognition this morning, and that if I should be recognized I would proceed to a discussion of that bill and such other discussion as I might feel disposed to indulge in. I have in good faith sought recognition—

Mr. ROBINSON. I inquire of the Senator from Utah if he would just as leave proceed after morning business has been disposed of?

Mr. KING. I would be very glad to.

Mr. ROBINSON. I call for the regular order.

Mr. KING. It would accommodate me very much, for the reason that a very important committee is now waiting for me; but I can not do it, under the promise I made to the Senator from Maine, unless he will release me from that promise, and if he will assent to an arrangement by which we may proceed to the consideration of unobjected bills during the morning hour, or look after the business of the morning hour, and that I can take the floor then, I shall be very glad to accede to the request of the Senator from Arkansas.

Mr. HALE. Mr. President, I think, in view of what has been said about the bill for the construction of new cruisers and for other purposes, to which the Senator has alluded, I will make an explanation about how the bill happened to go through without debate. Early last week I secured a special order whereby that bill took its place upon the calendar—

Mr. KING. Does the Senator ask me to yield?

Mr. HALE. I ask the Senator to yield.

Mr. KING. I can not yield. The Senator can make his explanation in his own time.

Mr. NORRIS. I rise to a point of order.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. ROBINSON. I call for the regular order.

Mr. NORRIS. I want to call the attention of the Chair to the fact that the Senator from Arkansas has demanded the regular order.

The PRESIDENT pro tempore. The regular order at the present moment is the consideration of the President's veto message.

Mr. NORRIS. The regular order is morning business, Mr. President.

Mr. ROBINSON. It is the disposition of the morning business. The Senate adjourned last evening, and the regular order is the morning business. I make a point of order that the regular order of business is the morning business of the Senate, under the rules of the Senate.

The PRESIDENT pro tempore. Does the Senator from Arkansas remember the clause in the Constitution which makes it the duty of Congress to proceed to the consideration of the message, unless—although the Constitution does not so declare—the Senate or the House of Representatives shall otherwise dispose of the matter? The Chair recognizes that it is within the power of the Senate to refer the message, or to postpone its consideration to another time, but the Chair has no option in regard to what he must do if there is no other disposition of the matter.

Mr. STERLING. Mr. President—

Mr. KING. I have the floor.

Mr. STERLING. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield?

Mr. KING. For a question. May I say that I shall not yield if in any manner my right to maintain the floor is jeopardized. I shall be happy to yield whenever I can do so, with that reservation.

Mr. STERLING. I do not believe it would take the floor from the Senator; at least, I would like to have an understanding that it does not take the Senator from the floor. But, Mr. President, I wanted to make a motion relative to the veto message of the President on the postal salaries bill. I make that motion. If the Senator from Utah will yield for that purpose.

Mr. KING. A parliamentary inquiry, in my own time. If I yield for the purpose of permitting the Senator from South Dakota to move to refer this message to the appropriate committee, do I lose my right to retain the floor after the disposition of that motion?

The PRESIDENT pro tempore. The Chair is of opinion that the Senator would not lose his right to retain the floor, but it would be subject to a demand for the regular order.

Mr. KING. May I inquire of the Senator from South Dakota whether the motion which he would like to make, and which I have yielded for him to make, will lead to any debate?

Mr. STERLING. I think not. I do not think it will. At least, I shall not want to debate the motion, and I hardly think it will lead to debate. It may.

Mr. KING. I dislike to make these qualifications, but I feel compelled to. If there will be no debate, if the motion will go pro forma, and the message be referred to the appropriate committee, and I do not lose my right to retain the floor, I shall be glad to yield for that purpose.

Mr. WALSH of Massachusetts. Mr. President—

Mr. LODGE. The regular order has been demanded.

Mr. WALSH of Massachusetts. I do not think any Senator can agree that there will be no debate on an important matter.

Mr. STERLING. Mr. President—

Mr. KING. Mr. President, I am afraid I shall have to decline to yield.

Mr. STERLING. The subject of the President's veto—

Mr. KING. I yield for a question.

Mr. STERLING. The postal salaries bill is before the Senate, as I understand it, the President of the Senate being about to submit to a vote of the Senate the question as to whether the bill should pass or not, the President's veto to the contrary notwithstanding. My motion is—and I make it now—that the veto message of the President on the postal salaries bill—

Mr. KING. I did not yield for that purpose.

Mr. STERLING. Be referred to the Committee on Post Offices and Post Roads.

The PRESIDENT pro tempore. The Senator refuses to yield for that purpose.

Mr. HARRISON. Before the Senator takes his seat—

The PRESIDENT pro tempore. The Senate will be in order.

Mr. ROBINSON. Mr. President—

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. KING. I yield to the Senator from Arkansas for a question.

Mr. ROBINSON. Mr. President, I have demanded the regular order and suggested to the Chair that the regular order is the consideration of morning business. There is nothing in the Constitution that prescribes the time or manner in which either House of Congress shall proceed to the consideration of a veto message.

Mr. KING. Will the Senator pardon me just a moment? I presume the Senator from Arkansas is rising to a parliamentary inquiry, and that, of course, would not take me from the floor, and with that understanding, I yield.

Mr. ROBINSON. I make the point of order that the regular order is the transaction of morning business under the rules of the Senate. There is nothing in the Constitution that contravenes that position. The practice of the Senate and of the House of Representatives is to proceed to the consideration of executive messages at the pleasure of the respective bodies. The Constitution does not require that upon the presentation of a veto message the same shall be immediately considered, and the practice has never been to do that. A veto message may be deferred, and under the rules of the Senate the proper procedure is the consideration of morning business, and in that contention the Senator from Massachusetts agrees with me absolutely.

Mr. NORRIS. Mr. President, on that point I would like to read—

Mr. KING. I yield—

Mr. NORRIS. An extract from the Constitution.

Mr. KING. For a parliamentary question.

Mr. NORRIS. It bears on the parliamentary situation.

Mr. KING. Yes.

Mr. NORRIS. The language I am about to read is in section 7, Article I, of the Constitution, and speaking of the duty of the President in signing a bill or returning it with his objections, this language is used:

If he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it.

It seems to me technically right to say, under the Constitution, that we have no right to consider it except by unanimous consent until these objections of the President have been entered on the Journal.

Mr. ROBINSON. Clearly that is true.

Mr. NORRIS. That has not yet been done.

Mr. ROBINSON. We could not even consider it now if the Senate desired to do so, upon objection. A motion to proceed to the consideration of the Executive message would be defeated

upon a point of order that the objections have not been entered upon the Journal, because the Constitution itself requires that the message shall not be considered until the objections shall have been entered on the Journal, and that has not been done. It could not have been done, because the message has just reached the Senate.

Mr. NORRIS. It has not even been printed.

The regular order of business is the morning business of the Senate, and I make the point of order and demand the regular order, which is that the Senate proceed to morning business. When the clerk shall have informed the Chair that the objections of the President have been entered in full on the Journal, then it will be in order for some Senator to move to consideration of the Executive veto message, but not until that has been done, under the express terms of the Constitution.

Mr. STERLING and Mr. KING addressed the Chair.

The PRESIDENT pro tempore. The Chair is inclined to believe that the point of order now made is well taken and that the bill shall not be reconsidered until the objections of the President shall have been entered on the Journal.

Mr. KING and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. Will Senators allow the Chair to rule?

Mr. KING. With very great deference, of course.

The PRESIDENT pro tempore. Therefore the veto message is not before the Senate at this time. On the demand for the regular order, the Chair holds that the regular order is the presentation of petitions and memorials.

Mr. KING and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. The Senator from Utah is recognized.

Mr. KING. I presume at the close of the morning hour I will be entitled to consideration at the hands of the distinguished Presiding Officer?

The PRESIDENT pro tempore. The Chair pledges nothing to the Senator from Utah upon that point. The presentation of petitions and memorials is in order.

Mr. STERLING. Mr. President, I desire to withdraw for the present the motion made a moment ago.

Mr. ROBINSON. I demand the regular order.

The PRESIDENT pro tempore. The Chair has called for the regular order.

Mr. ROBINSON. Very well. I suggest that it be enforced. The PRESIDENT pro tempore. The presentation of petitions and memorials is in order. There being none, reports of committees are in order.

DISTRICT COURT CLERKS' FEES

Mr. BRANDEGEE. From the Committee on the Judiciary I report back favorably, without amendment, three House bills, and I call the attention of the Senator from Pennsylvania [Mr. PEPPER] to one of them. I desire to state that the committee has previously reported identically the same bills that are now upon the Senate Calendar. These bills came over from the House as passed by the House, and the committee has been polled and authorized their report, because they have already reported the same bills. The Senator from Pennsylvania desires to make a motion.

Mr. PEPPER. After the bills have been reported—

The PRESIDENT pro tempore (rapping for order). The Senate must be in order. Proceedings can not go on until the Senate is in order. Will Senators who are on their feet take their seats and will the bystanders take the seats provided for them? The Senate must be in order.

Mr. PEPPER. After the bills have been reported I shall ask the indulgence of the Senate to make a very brief statement in explanation of them.

The PRESIDENT pro tempore. Is there objection to a statement being made by the Senator from Pennsylvania?

Mr. ROBINSON. What is the request?

Mr. FLETCHER. Has there been unanimous consent granted for consideration of the report?

Mr. BRANDEGEE. I reported the bill from the Committee on the Judiciary.

Mr. ROBINSON. And now is it proposed to get unanimous consent to consider three of them at once?

Mr. BRANDEGEE. No. If the Senator will allow me, they are very short bills that have been passed by the House and have been previously reported to the Senate by the Judiciary Committee, and it was thought that the Senate should pass the House bills. It ought to take only a moment.

Mr. ROBINSON. It is a question of unanimous consent before either the Senate or the House bills can be considered?

Mr. BRANDEGEE. Oh, certainly.

Mr. PEPPER. I merely did not wish to interrupt the process of reporting the bill. I am going to make a request for unanimous consent when it has been reported.

The PRESIDENT pro tempore. The Clerk will state the title of the first bill.

The READING CLERK. A bill (H. R. 5420) to provide fees to be charged by clerks of the district courts of the United States.

Mr. KING. Mr. President, I think that should go to the calendar.

Mr. PEPPER. I ask unanimous consent for the immediate consideration of the measure, and crave the indulgence of the Senator from Utah, if he has the floor, to make this brief statement respecting it.

The PRESIDENT pro tempore. The Senator from Pennsylvania has the floor.

Mr. PEPPER. A series of bills relating to practice in the offices of clerks of the United States courts throughout the country were introduced into both Houses at the request of the American Bar Association. The bills were referred in both Houses to the Judiciary Committee, in both Houses were reported out unanimously, and three of those bills have now passed the House, and are the three which have just been referred to by the Senator from Connecticut.

Mr. ROBINSON. Mr. President, may I ask the Senator a question?

Mr. PEPPER. I yield to the Senator from Arkansas.

Mr. ROBINSON. Why were they embraced within three bills instead of one bill?

Mr. PEPPER. Each of the bills relate to a distinct and specific subject matter.

Mr. ROBINSON. Let us take them one at a time.

Mr. PEPPER. That is what I am proposing to do. Only one of the bills has been reported, and it is to that one that I am addressing myself.

Mr. SHIELDS. Mr. President, is this the bill that proposes to give the Supreme Court power to make rules for legal proceedings at law as they have now made them in equity?

Mr. PEPPER. Not at all, Mr. President. The bill relates merely to a matter affecting the convenience of practitioners in courts of the United States, substituting a different arrangement of fee bills for that which now exists, simplifying the accounting, and making certain what the charges are that the clerks are to make to suitors in United States courts.

Mr. SHIELDS. I object to the consideration of the bill. Let the bill go over. There are several bills that have been reported on that subject from the American Bar Association, and I shall object to all of them.

The PRESIDENT pro tempore. Debate at this time is not permissible. Is there objection to the request of the Senator from Pennsylvania?

Mr. ROBINSON. The Senator from Tennessee objects to all the bills.

Mr. SHIELDS. I object to the consideration of the bill.

The PRESIDENT pro tempore. Objection is made, and the regular order will be resumed. Are there further reports of the committees?

REPORTS OF COMMITTEES

Mr. BRANDEGEE, from the Committee on the Judiciary, to which were referred the following bills, reported them severally without amendment:

A bill (H. R. 5423) to amend section 2 of the act of August 1, 1888 (25 Stat. L. p. 357); and

A bill (H. R. 5425) to provide for the disposition of moneys paid to or received by any official as a bribe, which may be used as evidence, in any case growing out of any such transaction.

Mr. SMITH, from the Committee on Interstate Commerce, to which was referred the bill (S. 3394) to amend section 26 of the interstate commerce act, as amended, reported it with amendments.

Mr. CAPPER, from the Committee on Claims, to which was referred the resolution (S. Res. 227) to authorize an adjustment of the claim of the city of New York for expenses incurred on behalf of the United States during the Civil War, reported it with an amendment.

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses, to which were referred the following resolutions, reported them each without amendment:

A resolution (S. Res. 244) continuing until the end of the Sixty-eighth Congress the employment of an assistant clerk to the Committee on the District of Columbia; and

A resolution (S. Res. 250) authorizing payment to Emma B. Woods, widow of the late Elliott Woods,

ENROLLED BILLS PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on June 6, 1924, that committee presented to the President of the United States an enrolled bill and a joint resolution of the following titles:

S. 966. An act for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes; and

S. J. Res. 142. Joint resolution providing for the United States Government to have representation at the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida.

REPORTS OF COMMITTEE ON CONTINGENT EXPENSES

Mr. KEYES. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 248, submitted by the Senator from Wisconsin [Mr. LA FOLLETTE]; Senate Resolution 250, submitted by the Senator from Wyoming [Mr. WARREN]; Senate Resolution 244, submitted by the Senator from Delaware [Mr. BALL]; Senate Resolution 251, submitted by the Senator from Nebraska [Mr. NORRIS]. I also report back favorably with an amendment Senate Resolution 241 submitted by the Senator from Oklahoma [Mr. HARRELD], and Senate Resolution 249, submitted by the Senator from South Dakota [Mr. NORBECK], also with an amendment.

The PRESIDENT pro tempore. The resolutions will go to the calendar.

TRI-COUNTY SUPPLEMENTAL WATER PROJECT, NEBRASKA

Mr. NORRIS. Mr. President, I ask unanimous consent for the immediate consideration of the one resolution just reported as submitted by me, Senate Resolution 251. It will not do any good if it goes to the calendar, as will be seen when the resolution is read. To accomplish anything at all it must be passed now.

Mr. KING. Let the resolution be read.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The principal clerk read the resolution (S. Res. 251), submitted yesterday by Mr. NORRIS, as follows:

Whereas in the Sixty-seventh Congress a Senate joint resolution (S. J. Res. 215) was approved September 22, 1922, as follows:

"Resolved, *etc.*, That the Secretary of the Interior, upon the payment to him in advance of the necessary funds to defray the expenses thereof, be, and he is hereby, authorized to make an additional investigation of the tricounty project in Nebraska, comprising the counties of Gosper, Phelps, and Kearney, in said State, and to extend said investigation into Adams County, Nebr., with a view of ascertaining whether it is practicable to convey for irrigation purposes flood waters from the Platte River onto lands in said counties";

And—

Whereas in accordance with such resolution a survey of said tricounty project in Nebraska has been made by the Bureau of Reclamation, and the expenses of such survey and investigation amounting to more than \$15,000 have been paid for by the State of Nebraska and the citizens living in the vicinity of said project: Now, therefore, be it

Resolved, That the Committee on Irrigation and Reclamation be authorized to appoint a subcommittee to visit the tricounty project in Nebraska during the recess of Congress and report to the full committee on the practicability of said project and the advisability of installing the same. There is hereby appropriated out of the contingent fund of the Senate the sum of \$300 for the purpose of defraying the expenses of said investigation.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered by unanimous consent and agreed to.

Mr. NORRIS. Before we leave the subject, I ask unanimous consent to insert in the RECORD as a part of my remarks, so that Senators can read it, a report on the project made by Professor Burr, of the Nebraska State University.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

TRICOUNTY SUPPLEMENTAL WATER PROJECT

(By Prof. W. W. Burr of Nebraska University)

This report summarizes briefly some of the agricultural aspects, concerning the feasibility of supplemental irrigation in the area now generally known as the Tricounty Project in Central Nebraska. It does not consider any engineering features of the project, which involve the type, manner, and cost of construction of laterals, canals, and storage. Naturally the feasibility of the entire project depends upon the delivery of water to the land at reasonable cost.

The distinctive feature of this project is that it lies well within the subhumid area where the rainfall is almost, but not quite, sufficient for the satisfactory production of crops. There is needed a supplementing supply of water to insure more certain and profitable production. The early contemplation of this project was to meet the deficiency of rainfall entirely through the storage of water in the subsoil. This project is, therefore, a departure from the usual custom of establishing irrigation projects under recognized arid conditions and it takes into consideration the possibilities of subsoil storage of water. Certain questions concerning the feasibility of the project have arisen. These questions are, first: The average deficiency of rainfall during the growing season; second, whether or not the subsoil will hold sufficient water to make up the rainfall deficiency; third, what increase in crop production may be expected from supplemental irrigation. This brief report will be an answer to these questions. More detailed information concerning soils, climate, crop yields, and the value of supplemental water is found in a complete report written by Mr. A. Lincoln Fellows, of the United States Department of Agriculture.

Location of project: This project is located in south-central Nebraska, comprising portions of Adams, Kearney, Phelps, and Gosper Counties. It lies between north latitudes 40° 20" and 40° 40", and west longitudes 88° 15" and 99° 35". It is bounded on the north by the breaks of the Platte River which are irregular, more or less sandy and unirrigable. On the south and west it is bounded by highly dissected and eroded portions of the plain, locally known as Canyon Lands. On the east it expands into a comparatively level plain of rather heavy textured soil. It is approximately 65 miles in length, east to west, and from 10 to 20 miles in width and comprises some 500,000 acres of irrigable land.

Topography: The project lies on an extensive upland prairie table, the surface of which is flat to slightly undulating; natural drainage is fairly well established in the eastern portion of the area but in the western portion the drainage is into depressional areas or basins which as yet have not established complete drainage outlet to the rivers.

Elevation: The elevation is from 1,900 feet above sea level in the eastern portion of the area to 2,600 feet above sea level in the western portion of the area, the slope to the east being approximately 8 feet per mile, with a less abrupt slope southward toward the Republican River valley.

CLIMATE

The project lies in what is known as the subhumid area between the humid and the arid districts. Of the several climatic factors that influence crop production the rainfall alone throughout this area makes crop production hazardous. Drought, resulting either from an insufficient total supply of rainfall or from a very unfavorable distribution of the rainfall that does come is of frequent occurrence. These periods of drought, coupled with the loss of a considerable portion of the virgin fertility of the soil, combine to give quite generally low yields of crops. The crop record for the past 20 years shows that in not more than one year out of five are profitable crops produced.

The temperature ranges from a mean of 24.4° for January to a mean of 75.9° for July, with rare extremes as low as 40° below and 110° above. The growing season, or frost-free period, is sufficient for the production of all crops common to the general territory. The relative humidity is a little lower than in eastern Nebraska, which tends to decrease somewhat the efficiency of a given amount of rain. It is only during periods of drought and high winds that the temperature, wind velocity, and relative humidity become injurious to crop production. During such periods they combine to greatly increase the rate of transpiration and the consequent demand of the crop for water. If the soil is lacking in moisture injury results. The amount of damage depends upon the dryness of the soil and length of time such unfavorable conditions obtain.

Precipitation: Rainfall is the one great limiting factor to crop production within the area. Not only is the total amount generally insufficient for good crop yields, but the distribution is uncertain and frequently very unfavorable. Droughts of greater or lesser severity are frequent, occurring almost every year, and in the main, during the past 20 years, have resulted in unprofitably low yields. While the rainfall is probably as favorable as formerly, there has been a gradual loss of organic matter from the cultivated soil, which has made the rainfall less efficient and has resulted in a gradual decline in crop yields. The difficulty of putting the land to grass or legumes under a limited rainfall makes the maintenance of the organic content of the soil almost impossible.

INADEQUACY OF PRESENT RAINFALL

The mean annual rainfall at Holdrege, Minden, and Hastings Government weather stations are 23.35, 24.05, and 25.42 inches, respectively, and average 24.27 inches for the three stations. The average annual precipitation of the three stations has varied in the 20 years, 1904 to 1923, from a minimum of 18.27 in 1921 to a maxi-

mum of 40.46 inches in 1915. In 20 years 14 years have been below normal, averaging — inches. The 6 years above normal have averaged — inches. The variation in average annual rainfall at the three stations is shown in Figure I.

The rainfall in the area is of the continental type, the periods of minimum and maximum rain being in winter and summer, respectively. Figure II shows the distribution of the average rainfall at the three stations by months, — inches of rainfall during the six summer months, April 1 to September 30. May and June are, on the average, the wettest months.

In order to show the adequacy or inadequacy of a 24-inch annual rainfall, more than two-thirds of which falls during the growing season, it is necessary to take a number of things into consideration, in particular, the nature of the rainfall and the frequency and severity of rainless periods.

NATURE OF THE RAINFALL

To determine the nature of the rainfall rains have been divided into four classes, viz: (1) 0-24 inches, light showers, invariably valueless; (2) 0.25-0.49 inches, medium showers, generally valueless, especially when falling as an isolated rain between April 1 and October 31; (3) 0.50-0.99 inches, light rains; (4) 1 inch and over. The two latter classes of rains have more or less value, depending upon their frequency, and together make up the effective precipitation of the region.

Chart 6 [omitted in RECORD] shows the distribution of the four classes of rains in winter and summer at Holdrege, based on 20 years' records. The months included in the winter period are October to March, inclusive, and the months included in the summer are April to September, inclusive. At Holdrege 78.6 of the total precipitation comes during the six summer months; 13.60 inches of the total 23.35 inches falls in rains of over 0.50 inch during the summer. About half the years are above the average and half below.

FREQUENCY OF THE DROUGHT PERIODS

One of the peculiarities of the section of the Great Plains in which this project is located is the frequent occurrence of prolonged dry periods, during which little or no rain falls. These periods are usually terminated by a succession of heavy rains, which make an average of the rainfall by months over a period of years appear favorable to the country, whereas many a single season may have been disastrous in one way or another.

The periods during which crops are most affected by shortage of moisture may be described as follows:

1. April 1 to May 15. High winds which drift the loose, dry soil and uproot small grains occur frequently and often are responsible for reduced yields of wheat, even when succeeding moisture conditions are highly favorable. The germination and early growth of oats is more or less seriously affected by shortage of rain during this period. Unless the soil be well filled with moisture, a period of 30 days at this season, during which little or no rain falls, may ruin all prospects for a good crop of wheat or oats. Occasionally such periods are made more serious by the winter being unusually open and dry.

2. May 15 to July 1. Brisk winds which increase the evaporating powers of the air are frequent. Occasionally early June is excessively hot, which causes wheat and oats to "fire" while in the bloom or milk stage, unless the soil is adequately filled with water. During this period wheat and oats are making their heaviest draft on soil moisture. Excessive dryness of the surface soil at this period is unfavorable for germination and early growth of corn. Unless a soil be filled with moisture to a depth of 4 feet or more, a period of 30 days with little or no rainfall coming at this season may be disastrous for the wheat and oat crop.

3. July 1 to August 21. High temperatures reaching 100° to 108° can be expected during this period. Hot winds coming around August 1 may do serious damage to corn when it is tasseling or silking. During this period corn is transpiring water often at the rate of a quarter inch of rainfall daily. A period of 30 days during which little or no rain falls coming at this season may ruin a corn crop, unless the soil be well filled with water to the full depth of root penetration.

4. August 21 to October 31. During the first half of the season the land is being prepared for winter wheat. A rainless period at this time seriously interferes with tillage operations and leads to delayed work and poor seed-bed condition. Seeding, which should normally be over by October 1, must occasionally be postponed until adequate rains come to insure its germination and growth. It is highly important that the soil be filled with water to a depth of 3 feet or more if wheat is to enter the winter with good prospects and escape the hazards of winds in early April. A period of 30 days either in the first or the last part of this season during which little or no rains fall is often a serious handicap in the succeeding year's wheat crop.

Periods of 30 days or more coming between April 1 and October 31 and during which no rain at all falls are not common in this section, but periods of 30 days or more during which no effective rain falls occur in about one year in two. Periods of 30 days or more during

which less than 1 inch of effective rain falls are very common. There has not been a single year in the last 20 years at either Hastings, Minden, or Holdrege in which such dry periods have not occurred from one to four times between the dates of April 1 and October 31.

Tables 1, 2, and 3 show the frequency of dry periods at Hastings, Minden, and Holdrege. A dry period is considered as being a period of 30 days or longer during which less than 1 inch of effective rain has fallen. By effective rain is meant any rain of over 0.50 inch or rains of over 0.25 inch coming on consecutive days. The experience of workers in the Great Plains has been that daily precipitation of less than 0.50 inch is generally valueless from the standpoint of breaking a drought. At Hastings in the last 20 years 42 dry periods have occurred, averaging 46 days each and during which only 0.56 inch effective precipitation occurred. At Minden 44 such periods have occurred, averaging 44 days each, with 0.41 inch effective rains. At Holdrege 48 dry periods have occurred, averaging 48 days each, with 0.47 inch of effective rainfall.

The distribution of dry periods is shown in Charts 4 and 5 [omitted in RECORD]; these charts also show graphically the yield of corn and wheat during the same years. The seriousness of the dry period of over 40 days will depend upon conditions of moisture preceding the drought and when the dry period begins and ends. However, when such dry periods come as frequently as they do in central Nebraska it is probable that damage results almost every year.

TABLE NO. 1.—Frequency of dry periods at Hastings

Year	Period	Length (days)	Total rainfall (inches)	Effective rainfall		
				Inches	Date	
1904	Apr. 26-May 31	36	1.64	0.85	May 4	
	July 13-Sept. 12	52	2.42	.64	Aug. 29	
1905	June 24-July 25	42	1.76	.52	July 1	
	July 30-Sept. 5	38	2.01	.74	Aug. 22	
1906	July 27-Sept. 11	47	2.22	.94	Aug. 4	
	Sept. 16-Oct. 20	35	.42	0		
1907	Aug. 29-Sept. 29	31	1.48	.86	Sept. 27	
	Oct. 2-Oct. 31	30	.15	0		
1908	Apr. 1-May 3	33	1.44	.95	Apr. 17	
	Aug. 20-Sept. 25	37	.95	0		
1909	Apr. 1-June 6	67	1.18	0		
	June 10-June 9	30	1.94	.83	July 5	
1910	May 8-June 7	31	1.29	0		
	Aug. 18-Sept. 20	34	.76	0		
1911	Apr. 1-July 5	96	1.33	.96	Oct. 3	
	Sept. 22-Oct. 31	40	3.27	1.03	May 21	
1912	July 2-Aug. 15	45	1.67	.75	July 18	
1913	July 3-Oct. 31	121	3.80	.85	Sept. 24	
1914	Apr. 1-May 1	31	.88	.70	Apr. 27	
	July 5-Aug. 11	38	1.20	.90	July 28	
	Sept. 15-Oct. 31	46	1.42	.78	Oct. 24	
1915	Sept. 30-Oct. 31	32	.22	0		
1916	June 24-Aug. 9	47	1.32	.60	July 19	
	Aug. 16-Sept. 16	32	1.27	.65	Aug. 30	
	Sept. 17-Oct. 31	45	1.43	.90	Oct. 24	
1917	June 29-Sept. 6	70	2.12	.50	Aug. 7	
	Sept. 26-Oct. 31	36	.18	0		
1918	Apr. 16-May 30	44	1.90	.55	May 24	
	July 1-Aug. 6	37	1.10	.55	July 17	
	Aug. 7-Oct. 18	73	2.55	.67	Aug. 7	
1919	July 15-Sept. 16	64	1.62	.55	July 20	
1920	Apr. 20-May 30	31	1.28	0		
	Sept. 1-Oct. 15	45	1.45	.83	Sept. 4	
1921	May 1-May 30	30	1.10	0		
	June 2-July 30	46	2.65	.95	July 4	
	Aug. 12-Oct. 17	80	2.68	.55	Sept. 19	
1922	June 1-July 21	51	1.93	.80	July 7	
	July 28-Sept. 17	52	1.36	.63	Aug. 22	
	Sept. 18-Oct. 29	43	.99	.75	Sept. 18	
1923	Aug. 10-Sept. 15	37	1.09	.80	Aug. 26	
	Sept. 30-Oct. 31	32	1.00	0		
Average 42 dry periods in 20 years				46	1.51	.56

TABLE NO. 2.—Frequency of dry periods at Minden

Year	Period	Length (days)	Total rainfall (inches)	Effective rainfall	
				Inches	Date
1904	May 6-June 14	40	1.51	0	
	Aug. 30-Sept. 29	30	.70	0	
1905	Sept. 19-Oct. 31	43	.84	0	
1906	Mar. 1-June 23	54	1.56	0	
	June 25-July 25	31	1.67	0.56	June 30
	Aug. 11-Sept. 11	32	.01	0	
	Sept. 16-Oct. 20	36	.64	0	
1907	Apr. 7-May 22	36	1.60	.60	Apr. 25
	July 19-Aug. 27	40	.67	0	
	Aug. 30-Sept. 29	30	1.17	.64	Sept. 27
	Oct. 1-Oct. 31	31	.84	.74	Oct. 3
1908	Apr. 1-May 3	33	.89	0	
	Sept. 1-Oct. 3	33	.98	.54	Sept. 26
1909	Apr. 1-May 23	53	1.22	0	
	July 13-Aug. 11	30	1.12	.72	July 24
1910	Apr. 1-May 4	34	1.43	.83	Apr. 14
	Mar. 7-June 6	31	1.53	.83	May 26
	June 26-July 31	36	1.47	.87	July 11

TABLE NO. 2.—Frequency of dry periods at Minden—Continued

Year	Period	Length (days)	Total rainfall (inches)	Effective rainfall		
				Inches	Date	
1910	Aug. 18-Sept. 22	36	0.65	0.52	Sept. 4	
1911	Apr. 11-May 20	40	1.53	.50	May 3	
	May 22-July 14	54	2.37	.81	June 24	
1912	Apr. 29-June 7	40	.81	0		
	July 5-Aug. 12	39	2.16	.76	July 18	
	Aug. 17-Oct. 8	53	1.78	.71	Sept. 10	
1913	Apr. 26-June 8	64	1.78	.50	June 3	
	July 1-Sept. 8	70	1.69	.52	July 27	
	Sept. 11-Oct. 31	51	1.33	.91	Sept. 23	
1914	July 24-Aug. 22	30	1.33	.87	Aug. 19	
	Aug. 28-Oct. 31	65	2.23	.60	Sept. 9	
1915	Sept. 26-Oct. 31	36	.47	0		
1916	June 26-July 30	35	.82	.82	July 18	
	Aug. 31-Oct. 31	62	1.73	.71	Sept. 5	
1917	June 28-Sept. 4	38	2.25	.94	Aug. 6	
	Sept. 25-Oct. 31	37	.32	0		
1918	Apr. 16-May 30	45	1.55	0		
	Aug. 14-Oct. 25	73	2.21	.63	Sept. 3	
1919	Aug. 11-Sept. 16	37	.70	.70	Aug. 28	
1920	May 21-June 24	35	1.30	0		
	Sept. 24-Oct. 30	37	.78	.50	Oct. 21	
1921	June 10-July 27	48	.59	0		
	Aug. 17-Oct. 31	76	2.69	.95	Sept. 18	
1922	July 25-Oct. 29	97	1.03	0		
1923	Aug. 10-Sept. 15	37	.15	0		
	Sept. 29-Oct. 31	33	1.26	0		
Average 44 dry periods in 20 years				44	1.25	.41

TABLE NO. 3.—Frequency of dry periods at Holdrege.

Year	Period	Length (days)	Total rainfall (inches)	Effective rainfall		
				Inches	Date	
1904	Apr. 1-May 3	33	1.93	1.00	Apr. 24	
	Aug. 10-Sept. 27	49	.95	.60	Aug. 29	
1905	Aug. 2-Sept. 4	34	1.41	.89	Aug. 6	
	Sept. 7-Oct. 31	55	1.40	.90	Sept. 16	
1906	May 26-July 17	53	1.83	.52	July 9	
	Aug. 7-Sept. 10	35	.90	.89	Aug. 24	
1907	Apr. 1-May 22	52	2.29	.70	May 3	
	July 18-Aug. 26	39	.59	0		
	Oct. 1-Oct. 31	31	.67	0		
1908	Apr. 1-May 3	33	.75	0		
	Aug. 20-Oct. 4	46	.77	.52	Sept. 26	
1909	Apr. 1-May 23	53	1.11	0		
	June 4-July 3	30	1.49	0		
	Aug. 2-Oct. 8	68	2.26	.80	Sept. 2	
1910	Apr. 1-May 25	55	1.51	.72	May 5	
	May 28-July 2	36	1.49	.62	June 8	
	Aug. 18-Sept. 21	35	.41	0		
1911	Apr. 1-May 20	50	1.81	.50	May 3	
	June 6-July 8	33	.99	.65	June 25	
	Aug. 22-Oct. 4	44	1.30	.52	Sept. 21	
1912	Apr. 1-June 6	67	2.30	.95	Apr. 21	
	July 13-July 17	24	1.06	.54	July 2	
	Aug. 23-Oct. 31	70	2.24	.68	Sept. 10	
1913	May 3-June 23	52	1.60	.56	June 3	
	July 1-Sept. 1	63	1.61	.70	Aug. 10	
	Sept. 4-Oct. 31	58	1.69	.71	Sept. 28	
1914	Apr. 1-May 20	50	1.26	.70	Apr. 27	
	July 7-Aug. 20	45	1.39	.50	July 20	
	Aug. 29-Oct. 10	43	1.99	.93	Sept. 14	
1915	Sept. 27-Oct. 31	35	.55	0		
1916	Sept. 1-Oct. 31	61	1.30	.60	Oct. 19	
1917	June 1-Aug. 25	86	2.61	.85	June 27	
	Sept. 26-Oct. 31	36	.42	0		
1918	Apr. 1-May 29	59	1.37	.77	Apr. 15	
	June 1-July 16	46	.71	.50	June 29	
	Aug. 16-Sept. 30	47	1.30	.70	Sept. 3	
1919	July 22-Oct. 7	78	2.33	.93	Sept. 18	
1920	Apr. 29-June 30	64	1.96	.57	June 29	
	July 1-Aug. 27	58	1.83	.50	July 6	
	Sept. 1-Sept. 30	30	.07	0		
1921	June 10-July 22	43	.94	0		
	Aug. 1-Sept. 6	37	1.17	0		
	Sept. 20-Oct. 31	42	.35	0		
1922	May 24-June 28	31	.66	0		
	July 25-Oct. 31	109	2.10	.68	Aug. 22	
1923	June 30-Aug. 2	34	1.97	0		
	Aug. 9-Sept. 15	38	.14	0		
	Sept. 20-Oct. 28	39	1.56	.57	Sept. 27	
Average 48 dry periods				48	1.34	.47

INADEQUACY OF RAINFALL FOR CORN PRODUCTION

That a period of drought coming between July 1 and August 21 may ruin a corn crop is well known to all farmers in central Nebraska. That such a disaster can be averted or at least mitigated to a considerable extent by adequate moisture up to July 1 is not so well understood.

If the subsoil is well filled with water on July 1, as would be the case if rainfall during the preceding spring and fall had been heavy, a good crop of corn can usually be expected. Only most extreme drought coming at the most critical state in the plant's development can bring about serious damage. Table No. 4 shows the correlation of

the effective rainfall which has gone to produce the corn crops with yield in Adams and Phelps Counties since 1905, the data being arranged in descending order of yields, not chronologically. The same data are shown graphically in chart. It is obvious that the effective rainfall during fall and spring up to July 1 is what determines the yield of corn. The only exceptions have been the years 1907, 1913, and 1918, when with adequate moisture on the soil for a good crop, a seriously reduced yield was caused by extremely dry and hot weather in July and August.

TABLE No. 4.—Correlation of the yield of corn with effective rainfall in Adams and Phelps Counties, Nebr.

[Effective rainfall—total rains of over 0.50 inch during the months of September, October, November, April, May, June, and July]

	Year		Yield per acre	Effective rainfall up to July 1	July rainfall
	Adams County	Phelps County			
			Bushels	Inches	Inches
1905		1905	42.3	24.76	4.86
		1906	42.2	13.29	3.91
			38.3	20.98	2.16
		1915	36.0	19.20	6.65
	Average		39.7	19.56	4.40
1915			35.1	17.45	4.80
1908			34.0	12.54	4.95
1920			33.0	19.85	2.83
1910			33.0	13.87	1.02
	Average		33.8	15.93	3.40
1906		1919	33.0	10.87	3.60
			31.7	14.39	2.84
1923		1923	31.0	14.79	0
			29.0	14.61	1.77
	Average		31.2	13.67	2.05
1919			27.0	11.40	3.60
		1920	25.0	6.16	.60
1916			24.9	9.21	.60
1914			24.1	10.14	1.73
	Average		25.3	9.23	1.61
1917		1916	23.9	10.18	2.32
			22.0	9.90	.50
1912			21.2	11.57	1.65
1911			20.7	3.68	5.34
1921			20.0	8.28	2.95
		1908	17.5	9.64	3.38
		1917	17.0	7.31	0
		1911	16.6	6.40	3.62
	Average		19.9	8.37	2.47
1909			15.2	3.89	2.82
1922			15.0	5.47	1.64
		1910	15.0	5.22	2.19
		1912	15.0	4.91	2.05
		1909	13.3	2.50	2.86
		1922	13.0	9.40	1.71
		1914	12.3	4.66	2.05
		1921	12.0	6.49	2.61
	Average		13.8	5.32	2.24
1907		1907	17.0	16.84	1.95
			14.2	11.14	1.10
1918		1918	16.0	8.13	4.50
			8.0	10.04	.55
1913			3.6	10.99	0
		1913	.5	8.35	.95
	Average 16 years		24.7	10.72	2.61
	Average 20 years		23.2	10.75	2.31

VALUE OF SUPPLEMENTAL WATER

Supplemental irrigation contemplates the application to the soil of sufficient water to make up the difference between the crop requirements and the rainfall. The water may be applied either before the crop is seeded and held in storage in the subsoil, or as a direct application to the growing crop. The fact that a deficiency of rainfall can in a large measure be met by water stored in the soil is generally recognized. The experience of farmers in the Great Plains has been that in those years when they had a considerable amount of water in the soil at seeding time, either as carry over from the previous year or from early spring rains, they were much more certain of satisfactory yields than in the years when the seeding period found the entire soil dry. In the latter case the crop is entirely dependent upon opportune rains, while a reserve supply of water tends to carry the crops through the dry period. For several years farmers near Lexington, Nebr., have been practicing supplemental irrigation and report greatly increased yields of crops from the practice.

The value of water stored in the soil has also been demonstrated by many experiment stations. At North Platte Experiment Station

it has been found that an abundance of water in the subsoil is a great protection to the crop against drought, the protection being in almost exact proportion to the total available soil water within reach of the crop. This was found particularly true for the small grains. In the drier years, during the 16 years that the station has been under operation, the water stored by summer tillage has more than doubled the yield of winter wheat, as compared to winter wheat following small grain. Several years during this time only 2 or 3 feet of soil had been filled with water. It is not claimed that water in storage in the soil will completely produce a crop, but with considerable water in the subsoil there are very few years when there is not sufficient rainfall to produce quite satisfactory crops. Mr. Zook, in Nebraska Experiment Station Bulletin 192, says: "Average yields per acre of all crops were higher on fallow than under any system of continuous cropping. Yields of grain on fallow were frequently more than double those of grain after grain. Of crops grown on fallow the largest gains were made by winter wheat and the smallest by corn."

In circular No. 72, of the Kansas State Agricultural College, Mr. George F. Knapp reports: "Experiments at the Garden City Branch Experiment Station, covering a period of five years, have shown that sufficient water can be stored in the soil by winter irrigation alone to produce good crops of corn, kafir, milo, and certain other row crops. The soil on which these experiments were made is a deep silt loam, representative of most of the upland in the western part of the State. Good yields have been obtained each year with all crops grown on the winter irrigated land. At the same time, with the exception of the wet season of 1915, unirrigated land produced practically nothing." Abundant evidence as to the value of water either stored or applied direct to the crop might be presented but it seems hardly necessary to do it in view of the evidence already offered and the fact that it is now so generally recognized that water is the limiting factor in crop production in the area known as the Great Plains.

In an exhaustive study along this line Mr. Fellows concludes that sufficient water stored in the subsoil will probably almost double the yield of crops now obtained throughout this project. There will be years, as there has been in the past, when rainfall will be largely sufficient, but those years are of infrequent occurrence. It is entirely probable that the above estimate is quite correct. Mr. Fellows concludes further that even greater yields might be obtained if, in addition to the stored water, there might be water available to put on the lands at any time when it is needed. At any rate, experience has shown that a deficiency of rainfall can, in a large measure, be made up by water in storage.

SOILS OF THE AREA

The questions now come: (1) Are the soils of the area suitable for irrigation? (2) Do they have sufficient water capacity to hold the water required to supplement the rainfall? (3) Do they have an inherent fertility that warrants an irrigation project to supply additional water?

Character of the soils: The soils of the proposed irrigation area are all of loessial formation. The loess material below the line of soil development is of general uniform composition and texture and extends to a depth of 100 feet or more without any fault such as rock strata, hardpan, or gravel seams. There is nothing in the soil profile to interfere with the water penetration and with its recovery through the development of plant roots. The soils in the virgin state were fertile prairie soils, rich in both organic and inorganic elements of plant food. During the period that they have been under cultivation the organic and nitrogen content have been materially reduced. There is no evidence and little probability that alkali will ever become a problem in this area even under irrigation.

The rate at which a soil will absorb water is of practical importance under irrigation. It has a direct bearing on the possibility of spreading water over the land. Determinations on this point throughout the project showed that all the soils were able to take water at a rate entirely satisfactory for irrigation purposes. The surface soils are generally friable and easily tilled, and experience has shown that even in their present state of fertility they are capable of producing satisfactory crops when they have sufficient moisture available and climatic conditions are not too unfavorable. Considering all the various factors the soils of the area are apparently entirely suitable for irrigation farming.

Water capacity: The soils of the area have a uniformly high-water holding capacity. Field experiments show that they will hold on the average 22.86 inches of water in the upper 6 feet of soil. Of this amount more than half—in fact, 12.28 inches—would be available for use of the crops. This is a high available water capacity.

It means that more than 2 inches of available water can be stored in each foot section of the soil, and that it is possible to carry in the soil a total of 12 inches of water within the root zone of most of the farm crops. This amount of water would probably be all that is needed to supplement the rainfall and would entirely take care of all small grain crops. While it will go a long way toward insuring a corn crop,

experience seem to indicate that corn will respond to additional summer irrigation. The water capacity of the soil both in total and available water is shown in Table 5 and Chart 1.

The feeding depth of crop plants: It will be noted that the water-carrying capacity of the soil is determined for a 6-foot column of soil. This was done in order to include the root zone for the common farm crops. Water stored below the root zone is not available to the crops, as capillarity is negligible except when there is free water. Most of the farm crops feed deeper than is ordinarily supposed, and are able to recover any available water within the limit of their root zone providing it is needed. Where sufficient water is not obtained by the plant near the surface most agricultural plants will root more deeply, providing they can find available water in the subsoil. Investigations by Miller, Weaver, Burr, and others show that the 6-foot depth represents the practical feeding zone of most of the farm crops in this section and on this type of soil with the exception of alfalfa, which feeds more deeply. If the lower subsoil is dry, so that the plants can obtain no water from that region, the roots will not be extended into it. As an average for five years' observations at North Platte of the crops grown on summer tilled land which had moisture stored in the lower subsoil spring wheat, oats, barley, and corn developed their root system to a depth of from 5 to 6 feet, while winter wheat fed approximately 1 foot deeper into the soil.

TABLE NO. 5.—Field carrying capacity and available water capacity of upper 6 feet of soil at various points in area

Soil	Sample	Moisture equivalent		Hygroscopic coefficient	Field carrying capacity	Available water capacity
		Per cent	Per cent			
Grundy	Hastings, Colo.	27.5	24.4	12.0	21.84	11.10
	Ingleside	27.8	24.5	11.9	21.90	11.10
	A	27.2	24.8	11.7	22.26	11.75
	B	27.7	25.2	12.0	22.62	11.85
	Q	26.7	24.3	11.8	21.81	11.22
	A I	27.2	24.8	11.0	22.26	12.38
	Average		27.4	24.7	11.7	22.12
Holdrege	Norman	27.7	26.4	11.5	25.68	14.52
	Holdrege	26.9	24.4	10.8	24.24	13.50
	Swedish Mission	26.1	23.5	9.7	23.34	13.50
	Bertrand	24.4	23.0	11.0	22.86	11.82
	D	27.2	24.8	11.7	24.49	12.94
	E	28.3	25.8	12.1	25.48	13.53
	F	28.0	25.5	12.2	25.18	13.14
	K	26.3	23.9	11.1	23.60	12.64
	L	24.9	22.7	10.6	22.41	11.95
	M	25.3	23.0	10.4	22.71	12.44
	A II	25.7	23.4	10.3	23.10	12.94
Average		26.4	24.2	11.0	24.00	12.98
Colby	Kenesaw	24.4	22.2	9.2	21.54	12.54
	C	29.1	26.5	12.4	26.17	13.92
	G	19.9	18.1	8.5	17.87	9.48
	H	23.7	21.6	9.8	21.32	11.65
	N	22.1	20.1	9.2	19.85	10.76
Average		23.8	21.7	9.8	21.33	11.67
Wabash	I	26.5	24.1	10.6	21.63	12.12
	J	25.2	22.9	11.6	20.56	10.15
	O	31.7	28.8	13.6	25.87	13.65
	P	29.2	26.6	12.4	23.89	12.75
Average		28.2	25.6	12.1	22.99	12.17
Grand average		26.4	24.6	11.1	22.86	12.28

The feeding depth of winter wheat is shown graphically in the accompanying chart [omitted in RECORD]. While it is seldom that the soil will be filled with water to a depth of 6 feet, either by irrigation or by summer fallow, yet it shows the possibility for getting a large reserve of moisture in the subsoil within reach of the plant roots.

Loss in the winter carry-over of water: The question will doubtless arise that if water is applied in the fall, will it not be lost through evaporation or by percolation beyond the feeding depth of the plant roots during the winter months? There will be some loss through evaporation but none through percolation to lower depths. Percolation does not take place except when there is free water, which is only present when the amount is greater than the field carrying capacity of the soil. The loss through direct evaporation may be as high as 3 or 4 per cent, or even higher for the first foot section of soil, but there is very little loss below the first foot. It is well recognized that during the winter months the rate of evaporation is relatively low and that the loss is not great. This fact is borne out by consideration of both charts [omitted in RECORD], which show the soil well filled with water at the time of the fall sampling, and show further that there has been very little loss up to the sampling of April 21, the following year. Chart [omitted in RECORD] is a composite of five years' results,

taking the last sampling in the fall as showing the maximum accumulation of water by summer tillage. Out of the five years, three show a loss of 2 to 4 per cent in the first foot and two show a small loss in the second foot. In two of the five years spring rains before the sampling date completely covered up the loss. The answer to the question is therefore that there will be very little loss during the winter, the greatest loss being in the first foot section. Water can be applied to the land and carried through the winter if desirable.

When we consider the large amount of available water that these soils will hold, the comparatively small loss in carrying stored water through the winter, and the possibility of the plants to recover water to a considerable depth in this region it can be safely said that the soils of this area do have sufficient water capacity to hold the water required to supplement the rainfall. It may not be the best practice to apply it all at once and carry it as storage water, except perhaps for the small grains, but if 12 inches of water represents the water required to supplement the rainfall it can in a large measure be carried in the soil.

Fertility: In the virgin state the soils of this area were very fertile, rich in both organic and inorganic elements of fertility, and capable of producing high yields. Under cultivation there has been a gradual decrease in the organic content of the soil. Many farmers with long experience in this section report a steady decrease from the maximum yields obtained when the land was new, and also that it requires more work than formerly. The decreased yield and the fact that the land is harder to handle is due quite entirely to the decrease of the organic content of the soil. The soils still contain sufficient phosphoric acid and potash for many years to come. The lime content, especially in the subsoil, is comparatively high, and liming is not necessary for the successful production of legumes. While maximum yields can hardly be expected without building up the organic content of the soils, the soil is still sufficiently fertile to produce good yields of all crops grown when there is sufficient water available. The inherent fertility of the soil is high, but proper rotation of crops and the growing of legumes are very difficult to obtain under a limited rainfall. With a supplemental supply of water satisfactory yields can be maintained.

SUPPLEMENTAL EVIDENCE

The land under the proposed project is now and has been for many years under private ownership. The farmers are already on the land, which is held in units mainly ranging from 160 acres up. Probably 90 per cent of the land is under cultivation. It is generally quite well improved as to buildings, fences, etc. The farmers have the horses and machinery necessary for farming the land under the present system. There is already invested in this area a tremendous amount of capital, largely resting with the farm owners.

The area has splendid transportation facilities both as to railroads and highways. There is a highway on almost every section line, generally kept in fairly satisfactory condition. Shipping points are close, no farm having more than a few miles to deliver its products to a loading point. The area lies relatively close to several important primary markets. It is within 200 miles of Omaha; within 700 miles of Chicago; and within less than 400 miles of St. Joe and Kansas City. These primary markets afford a ready outlet for all agricultural products.

The question may arise as to what will be the effect of irrigation on the permanency of the agriculture of this area. The effect, of course, is problematic, depending largely upon the degree of intensity of the agriculture that would follow irrigation. It is safe to assume, however, that a more permanent and profitable form of diversified agriculture would follow irrigation than is possible without it.

It was mentioned above that the organic content of the soil is being depleted and that there is a consequent decline in yields. Organic matter, while not itself a plant food, is essential to proper soil conditions. A sufficient supply of organic matter makes the soil more receptive of water from rains and makes all tillage operations easier. It is the greatest factor in the fertility and management of the soil. The lower yields and increased labor coincident with the depletion of the organic content of the soil have not only made farming less profitable but are having a discouraging effect upon the farmers. Under present conditions the situation will grow worse. Soil maintenance under limited rainfall is more difficult than in humid or irrigated sections. Getting stands of grass or legumes is frequently impossible because of drought. The keeping of more livestock is curtailed by the problems of dependable pastures and adequate feed supplies. While there is no question as to the permanency of some form of agriculture in this section, it is evident that a far greater development can be brought about with additional water.

W. W. BURR.

ORDER OF BUSINESS

Mr. BURSUM. Mr. President, I move that the Senate proceed to the consideration of the conference report upon House bill 6941, and I move that the conference report be agreed to.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. McKELLAR. Is that motion in order at this time? If not, I demand the regular order.

The PRESIDENT pro tempore. The Chair is of opinion that after 1 o'clock a motion of that kind can be made. That is the understanding of the Chair with regard to the rule.

Mr. ROBINSON. We were proceeding with the disposition of morning business.

Mr. REED of Pennsylvania. Mr. President, will the Senator withhold the motion?

Mr. ROBINSON. If not, let us vote it down.

Mr. BURSUM. I would like to get a chance to hear what is being said.

Mr. ROBINSON. I suggest that the Senator withhold his motion until morning business has been completed.

Mr. BURSUM. I will withhold the motion for the present. The PRESIDENT pro tempore. The motion of the Senator from New Mexico must be disposed of.

Mr. LA FOLLETTE. He has withdrawn it. The Chair did not hear the withdrawal of the motion.

The PRESIDENT pro tempore. Does the Senator from New Mexico withdraw his motion?

Mr. BURSUM. On request, I will withhold the motion until after morning business has been declared finished.

ALIENS IN THE UNITED STATES

The PRESIDENT pro tempore. Are there further reports of committees?

Mr. REED of Pennsylvania. From the Committee on Immigration, I report back favorably with an amendment House Joint Resolution 283, to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921, and I ask unanimous consent for its immediate consideration.

Mr. BURSUM. I object.

Mr. REED of Pennsylvania. I hope the Senator will not object.

Mr. BURSUM. The understanding was that we were to proceed with morning business.

Mr. REED of Pennsylvania. That is what we are doing. This will not take two minutes of explanation.

Mr. BURSUM. What is the joint resolution?

Mr. REED of Pennsylvania. It is a joint resolution permitting the retention in the United States of those aliens who came in under the ruling of the department.

Mr. BURSUM. I have no objection to that. I withdraw my objection.

Mr. REED of Pennsylvania. It applies to approximately 8,800 aliens who are now here and about 500 who are on the ocean. The committee were unanimously in favor of it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the House joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Immigration with an amendment to strike out all after the resolving clause, and to insert:

That the following aliens arriving in excess of quotas fixed under authority of the act entitled "An act to limit the immigration of aliens into the United States," approved May 19, 1921, as amended and extended, may, if otherwise admissible and if not subject to deportation for other causes, be permitted to enter and remain in the United States without regard to the provisions of such act of May 19, 1921, as amended and extended:

- (1) Aliens heretofore admitted in excess of quota and charged to the quota of a later month;
- (2) Aliens heretofore admitted under a construction of such act of May 19, 1921, required by court decision;
- (3) Aliens arriving in the United States after May 26, and before July 1, 1924, who departed for the United States from the last port outside the United States or outside foreign contiguous territory on or before May 26, 1924, believing in good faith that they would be admitted pursuant to a construction of such act of May 19, 1921, required by court decision; and
- (4) Aliens heretofore temporarily admitted under bond to relieve cases of extreme hardship.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

Mr. GEORGE. Mr. President, I should like to make an inquiry of the Senator from Pennsylvania. I favor the resolution as amended, but I desire to ask if this amendment will charge

the number of those coming over under the nisi prius court's decision to future quotas? I understand that to be the case.

Mr. REED of Pennsylvania. The Senate committee amendment makes the joint resolution much stricter than it was when it passed the other House.

Mr. GEORGE. But does it add to the quota?

Mr. REED of Pennsylvania. It does not charge these immigrants against the quota of next year, and all of the quotas for the present year are exhausted now; there are no remaining quotas for this year except from one or two countries.

Mr. GEORGE. It will not reduce the quota for next year?

Mr. REED of Pennsylvania. No. The admission of these persons this year will not affect the quota for next year in any way.

Mr. ROBINSON. Mr. President, will the Senator from Pennsylvania yield for a question?

Mr. REED of Pennsylvania. Yes.

Mr. ROBINSON. I have heard a statement to the effect that the legal result of the passage of this joint resolution will be to confirm the right to remain in the United States of all immigrants who are here, even including those who came in violation of the law; I mean through fraudulent arrangements.

Mr. REED of Pennsylvania. No, Mr. President; that is not true, especially in view of the manner in which the committee has proposed to amend the joint resolution. We have taken care of the cases to which the Senator from Arkansas refers. We were afraid of that.

Mr. ROBINSON. So that only those who come within the ruling in the Gottlieb case will be permitted to remain?

Mr. REED of Pennsylvania. Those who came in good faith, believing that under the court decisions they were entitled to enter the United States, will be permitted to remain.

Mr. ROBINSON. Very well. Under that statement of facts I make no objection to the joint resolution.

The PRESIDENT pro tempore. The joint resolution is in the Senate and is open to amendment.

Mr. HEFLIN. Mr. President, for many years I have been an ardent advocate of restricted immigration. I hold that the manner in which immigrants have been illegally slipped into the United States during the last three years is a disgrace to this Nation. Immigration agents have made money; they have grown rich selling passports into the United States. Some of the newspapers of the country have bitterly assailed those crooked agents. We passed a law here not long ago cutting down the number of immigrants that might come into our country. You were filling this land with Bolsheviks, with anarchists, with kidnapers, and with people who are the deadly enemies of the American form of government. The sentiment of four-fifths of the American people is against loose immigration laws and strongly in favor of restricted immigration.

Mr. President, where the wives of men who are already American citizens and their children desire to come to our shores, I know it makes a sympathetic appeal to us; but I believe that this is a fixed-up job on the American Nation. I think that the immigrant agents held those immigrants back and slipped in their full quota, relying upon the sympathy and big-heartedness of our people to let these 14,000 additional immigrants come in. Is this law to be enforced or is it not to be enforced? That is the question which now confronts us.

Mr. President, it must be that the immigration agents have been apprehended by somebody who has been watching or we never would have heard of these 14,000 persons; they would have been slipped in as hundreds of thousands of others have been, with the agents holding their hands behind them, growing fat and rich upon bartering the birthright of the American boy and girl. Here there comes in the closing hours of the session a pitiful appeal to our generosity and our big-heartedness to open the door and let 14,000 immigrants come in, with the story that they are the wives and children of citizens who are already here. What are these citizens doing here, leaving their wives and children at home? Why did they not bring them in when their quotas were not exhausted?

Mr. President, it looks to me as though a trick had been played upon us. The agents go over there and bring in 10,000 males, and then, after they are in and the quota is exhausted by those coming in, it is said, "Well, these men's wives and children ought to come in." We are all touched by such an appeal. I want those wives to be with their husbands and the children to be with their parents, for them to be all together; but I am calling the attention of the Congress and of the country to the fact that we are confronted by a situation which we have got to watch.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Alabama yield to me for a parliamentary inquiry?

Mr. HEFLIN. I yield.

Mr. REED of Pennsylvania. I should like to inquire whether debate at the present time is under the five-minute rule under Rule VIII?

The PRESIDENT pro tempore. It is not. We are not considering the calendar under Rule VIII.

Mr. HEFLIN. Mr. President, just another word, for I do not desire to detain the Senate. I want Senators who claim to be in favor of restricted immigration to quit bringing these matters into this body. I am going to fight for restricted immigration. If I had it in my power, I would close the doors of my country for 12 months at least, and it might be for from 3 to 5 years, until this Government has an accounting of those already here. We have got all sorts of groups in this country, who are bringing all kinds of poisonous doctrines into the household of sovereign States. I for one am opposed to it, and I wished to say this much to the Senate on this question.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDENT pro tempore. The question is, Shall the joint resolution pass?

Mr. HEFLIN and Mr. ASHURST asked for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is, Shall the joint resolution pass?

Mr. HOWELL. Mr. President—

Mr. ASHURST. I asked for the yeas and nays.

The PRESIDENT pro tempore. The demand for the yeas and nays was not sufficiently seconded.

Mr. HOWELL. Mr. President—

The PRESIDENT pro tempore. The time for debate on the joint resolution has passed.

Mr. ASHURST. A question of order. Under the Senate rules a bill must be read three times and on different days. I demand that this bill have its third and last reading on another day than to-day. That is our rule.

Mr. REED of Pennsylvania. The yeas and nays, Mr. President.

Mr. ASHURST. The bill must be read three times.

Mr. REED of Pennsylvania. Mr. President, a point of order. I submit that the joint resolution has been read the third time and is now on its final passage.

Mr. ASHURST. Then I withdraw the point. The Senator is a lawyer and knows that under our rules a bill must be read three times on different days, if such demand is made.

Mr. REED of Pennsylvania. It has been read three times.

The PRESIDENT pro tempore. The point of order is overruled. The yeas and nays are demanded. Are they seconded?

Mr. HOWELL. Mr. President—

The PRESIDENT pro tempore. The demand for the yeas and nays is sufficiently seconded, and the Secretary will call the roll.

Mr. HOWELL. Mr. President, is there to be no opportunity to debate the joint resolution?

The PRESIDENT pro tempore. The time for debate on this joint resolution has passed. The Secretary will call the roll.

The principal clerk proceeded to call the roll.

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL], which I transfer to the senior Senator from New Jersey [Mr. EDGE] and vote "yea."

The roll call was concluded.

Mr. WARREN (after having voted in the affirmative). I am paired with the Senator from North Carolina [Mr. OVERMAN], who does not appear to be here at the moment. I am informed, however, that if that Senator were present he would vote as I have voted, and therefore I will allow my vote to stand.

Mr. HARRISON. I am paired with the Senator from Vermont [Mr. GREENE] and withhold my vote.

Mr. ROBINSON. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is necessarily absent. If present, he would vote "yea."

The result was announced—yeas 66, nays 15, as follows:

YEAS—66

Adams	Colt	Fletcher	King
Ball	Copeland	Glass	Ladd
Bayard	Cummins	Gooding	La Follette
Borah	Curtis	Hale	Lodge
Brandegee	Dale	Harrell	McKinley
Brookhart	Dill	Johnson, Calif.	McLean
Broussard	Edwards	Johnson, Minn.	McNary
Bruce	Ernst	Jones, N. Mex.	Moses
Bursum	Fernald	Jones, Wash.	Norbeck
Cameron	Ferris	Kendrick	Norris
Capper	Fess	Keyes	Oddie

Pepper	Robinson	Stanfield	Walsh, Mont.
Phipps	Shipstead	Sterling	Warren
Pittman	Shortridge	Swanson	Wheeler
Ransdell	Simmons	Underwood	Willis
Reed, Mo.	Smoot	Wadsworth	
Reed, Pa.	Spencer	Walsh, Mass.	

NAYS—15

Ashurst	Harris	Mayfield	Smith
Caraway	Heflin	Neely	Stephens
Frazier	Howell	Sheppard	Trammell
George	McKellar	Shields	

NOT VOTING—15

Couzens	Gerry	McCormick	Stanley
Dial	Greene	Overman	Watson
Edge	Harrison	Owen	Weller
Elkins	Lenroot	Ralston	

So the joint resolution was passed.

Mr. HARRIS. Mr. President, some days ago I wrote to the Secretary of Labor asking him to give me a comparative statement of the number of aliens admitted under the present quota and those who would be admitted under the new quota. I ask unanimous consent to place his reply in the RECORD. His report shows an unusually large number admitted from Canada and Mexico. The Senate voted down my amendment placing Canada and Mexico under the quota so as to limit the number coming from those countries.

The PRESIDENT pro tempore. Without objection the letter of the Secretary of Labor will be printed in the RECORD.

The letter referred to is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, June 6, 1924.

Hon. WILLIAM J. HARRIS,

United States Senate, Washington, D. C.

MY DEAR SENATOR: This will acknowledge your letter of the 6th, requesting information concerning aliens admitted to the United States during certain periods, and asking my views on the effect of the immigration act of 1924. In my reply, for your convenience I am restating the questions and following each with the answer in the order presented.

"1. How many aliens were admitted to the United States during the first year prior to the enactment of the first quota law on May 19, 1921?"

During the fiscal year ended June 30, 1921, 978,163 were admitted to the United States.

"2. How many were admitted in each of the years following the enactment of the quota law?"

During the fiscal year ended June 30, 1922, the first full year of operation of the 1921 act, there were admitted 432,505. During the fiscal year ended June 30, 1923, there were admitted 673,406, while during the first nine months of the present year the total had reached 719,152.

"3. Except for a few restrictions the quota acts have not applied to the Dominion of Canada and Mexico. How many aliens not charged to a quota were admitted from the Dominion of Canada under that act?"

Nonquota immigrants from Canada, admitted during the fiscal year ended June 30, 1922, numbered 48,372. During the fiscal year ended June 30, 1923, 112,651. During the first nine months of the present fiscal year, 1924, 141,135 have been admitted. To show the character of this Canadian immigration, I analyze below the figures for 1923. The admissions are divided into 39,295 English, 30,438 French, 17,045 Scotch, 12,000 Irish, 4,486 Hebrews, and smaller numbers of other peoples, chiefly of European origin.

"4. How many nonquota aliens were admitted from the Republic of Mexico during the same periods?"

Nonquota aliens admitted from Mexico during the fiscal year ended June 30, 1922, numbered 32,916. This number was increased during the year ended June 30, 1923, to 77,231. During the first nine months of the present fiscal year, 1924, this number had increased to 77,981.

"5. How many 'quota' aliens have been admitted each year from Canada since the passage of the quota act?"

"Quota" immigrants from Canada and Mexico are those who had not acquired the necessary period of residence in those countries to acquire a status of nonquota. During the year ended June 30, 1922, the number of quota immigrants from Canada amounted to only 7,721. During the fiscal year ended June 30, 1923, 11,425 of this class were admitted, and during the first nine months of 1924, 12,116.

"6. How many 'quota' aliens have been admitted each year from the Republic of Mexico since the passage of the quota act?"

During the fiscal year ended June 30, 1922, "quota" aliens from Mexico numbered 136; during the fiscal year ended June 30, 1923, 628; and during the first nine months of the present fiscal year, 1,019.

The totals of quota and nonquota immigrants admitted from Canada and Mexico for the same periods are therefore—

Canada	
Fiscal year ended June 30, 1922	56,093
Fiscal year ended June 30, 1923	124,078
First nine months, 1924	153,251
Mexico	
Fiscal year ended June 30, 1922	33,052
Fiscal year ended June 30, 1923	77,859
First nine months, 1924	79,000

"7. It is reported that a great many aliens have obtained entry into the United States surreptitiously from Canada and Mexico. What is your estimate of the number who have thus illegally gained entry? You will recall I offered an amendment to bring Mexicans and Canadians under the quota law."

From the very nature of this illegal traffic, we can have no accurate statistics. The number gaining surreptitious entry from Canada is no doubt smaller than in the case of the Mexican border. Numerical estimates on surreptitious entries run from 100 to 1,000 daily.

"8. Can this smuggling be stopped; and if so, how?"

This is a big question. I am one of those who believe that nothing is impossible, and that this applies just as much to the smuggling game as any other. Congress has recently given us a million dollars for border patrol, and undoubtedly our efforts are going to be much more effective by reason of that appropriation; but I am of the opinion that even with the added patrol this traffic will not be completely eliminated.

However much we may reduce these surreptitious entries from contiguous territory, our efforts would not in any way decrease the number of Mexicans or Canadians who would or could enter through regular channels. To the limit of its ability the Immigration Service has sought out and reported those unlawfully here, and prosecutions have been instituted and in a great many cases convictions have been obtained against those responsible for and participating in the illegal entry of aliens, but such activity can never take the place of a law restricting the number which may be admitted by inspectors. That can only be done by an amendment to the law such as you offered, bringing Mexico and Canada under the provisions of the quota law. The number of lawful admissions will increase rather than decrease with the tightening of the border and the increasing demand for common labor, which can not be supplied from Europe.

So far as I know, there is but one way in which we can cope with this smuggling situation, and that is by an annual enrollment of all aliens in the United States. I propose this method for two reasons—first, as a protection and assistance to the alien who honestly and conscientiously seeks to comply with our laws and fit him for the duties and responsibilities of citizenship; and, second, to clear the way for the elimination of the foreigner who is here in defiance of our laws. Only by knowing who is here and gaining some information concerning them can we hope to have a final check upon this traffic.

"9. How many alien seamen have gained entry into the United States through desertion since the passage of the quota law of 1921?"

During the fiscal year ended June 30, 1922, 5,879; during the fiscal year ended June 30, 1923, 23,194; during the first nine months of the fiscal year 1924, 26,680.

"10. How many quota aliens are admissible under the limitation act of 1924?"

The report of the Committee on Immigration and Naturalization of the House of Representatives estimates the number at 161,184.

"11. What is your estimate of the number of nonquota aliens that will be admitted under the act of 1924?"

This number is estimated at 200,000.

"12. Approximately how many aliens will enter each year from Central and South America under subdivision (c) of section 11 of the immigration act of 1924?"

From Central America, 2,000; from South America, 8,000.

"13. State whether or not in your opinion a greater or lesser number of Japanese will gain admission to the United States under the immigration act of 1924 than gained admission under the gentlemen's agreement."

The exclusion section was undoubtedly intended by Congress to mean total exclusion; but if construed in connection with the interpretation to be placed upon other provisions of the act I can not state what will be its actual effectiveness as an exclusion measure. The department does not have a copy of the gentlemen's agreement, and I am not familiar with the treaty relating to commerce and navigation now in effect between the United States and the Japanese Government. As you know, the smuggling of orientals into the United States, both by land and by water, in itself presents a serious problem. The exclusion provisions of the immigration act of 1924 will not curtail that traffic. It can only be curbed by resort to the method I have indicated in answer to your question No. 8.

"14. State whether or not in your opinion a greater or lesser number of alien seamen will gain admission through desertion than gained admission under the quota act of May 19, 1921."

Since the enactment of the quota law of May 19, 1921, experience and official records show that desertion of alien seamen has increased rap-

idly. The immigration act of 1924 in no manner changes the status of seamen. It leaves the door wide open for their entrance, and the bureau and the department are left without any means of combating the practice.

"15. Do you consider the immigration act of 1924 an improvement over the quota act of May 19, 1921?"

While the immigration act of 1924 is not all that I would like to see in a permanent restrictive immigration law, it is a decided improvement over the old quota act because it permits of a partial examination of immigrants abroad, eliminates a great deal of uncertainty as to the condition of quotas because of assignment at foreign ports rather than at the port of entry, and more adequately handles the cases of separated families. The increased penalty placed upon steamship companies for bringing inadmissible aliens will also assist in the enforcement of the law.

"16. What defects have you noted in the immigration act of 1924 which should be remedied by additional legislation?"

My principal criticism of the immigration act of 1924 is its inelasticity to meet the varying needs of American industry, and while restricting the importation of labor from Europe, places no ban upon competition from Mexican labor, which may be admitted in unlimited number. If, within the quota given to European countries, some means were provided to select the types and classes meeting the certain industrial and agricultural needs arising from time to time, it seems to me that we would have a much better law. For instance, under this act 50 per cent or more of the quota could be street peddlers or small tradesmen, of which we have an ample supply, while an acute shortage might be registered in the steel industry, slate quarries, or tin mills. Obviously, a confirmed street salesman will not make a section hand. In my recommendations for legislation I suggested a method of importing skilled and unskilled labor for any industry when labor of like kind could not be found unemployed in the United States. If some such system were devised and kept within the limits prescribed by Congress, I think we would have a policy more in line with our needs. I also believe that it is a decided mistake to discriminate against European labor in favor of Mexican, and for that reason I am in hearty accord with the amendment to bring the Western Hemisphere as well as the Eastern under the provisions of the quota law.

Cordially yours,

JAMES J. DAVIS.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 3486) to authorize the Secretary of State to enlarge the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan; to the Committee on Foreign Relations.

By Mr. WADSWORTH:

A bill (S. 3487) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. DALE:

A bill (S. 3488) granting an increase of pension to Ellen A. Sawyer (with accompanying papers); to the Committee on Pensions.

By Mr. DALE (for Mr. GREENE):

A bill (S. 3489) providing reimbursement to J. M. Lacalle for services as instructor at the United States Naval Academy, Annapolis, Md., from October 1, 1914, to October 10, 1914; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

A bill (S. 3490) making an appropriation for the United States Tariff Commission; to the Committee on Appropriations.

By Mr. COPELAND:

A bill (S. 3491) for the relief of Martin Brauer; to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 3492) to amend the World War veterans' act, 1924, consolidating, codifying, revising, and reenacting the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act; to the Committee on Finance.

INVESTIGATION OF ADMINISTRATION OF THE PUBLIC DOMAIN

Mr. STANFIELD submitted the following resolution (S. Res. 257), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate pro tempore, is authorized and directed to conduct an investigation with respect to the laws relating to the public domain administered by the Department of Agriculture or by the Department of the Interior and all departmental rules, regulations,

and practices thereunder. The committee shall, as soon as practicable, report its findings to the Senate with such recommendations, including recommendations for legislation, as it deems proper.

SEC. 2. For the purposes of this resolution the committee is authorized to meet at such times and places during the sessions and recesses of the Sixty-eighth Congress, to employ such experts and clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable. Subpoenas for witnesses shall be issued under the signature of the chairman of the committee. The cost of the stenographic service to report the proceedings shall not be in excess of 25 cents per 100 words. The expenses of such investigation shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXPENDITURES IN THE PRESIDENTIAL CAMPAIGN

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent for the present consideration of Senate Resolution 248, reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent for the present consideration of Senate Resolution 248. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDENT pro tempore. Does the Senator desire it to be read?

Mr. LA FOLLETTE. Mr. President, I wish to amend it in one respect.

On page 2, line 13, after the word "chairman," I wish to perfect the resolution by inserting the words "or any member," so that the provision as amended would read:

Subpoenas for witnesses shall be issued under the signature of the chairman or any member of the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The question now is upon agreeing to the resolution as amended.

Mr. LENROOT. Let it be read, Mr. President.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution as amended was read, as follows:

Resolved, That a special committee of five Senators be elected forthwith to investigate and report to the Senate on December 5, 1924, the campaign expenditures made by or on behalf of, or in support of, or in opposition to, any and all candidates for President and Vice President and presidential electors; the names of the persons, firms, or corporations contributing to the said candidate or candidates or their party committee or committees, or any other agency, the amounts contributed, pledged, loaned, or otherwise made available for use, the method of expenditure of said sums, and all the facts in relation thereto, not only as to the subscriptions of money and the expenditures thereof but as to the use of any other means of influence, including the promise of patronage, and all other facts in relation thereto that would not only be of public interest but would aid the Congress in any necessary remedial legislation.

That said committee is hereby empowered to sit and act during the adjournment of Congress at such time and place as it may deem necessary; to require by subpoena, or otherwise, the attendance of witnesses, the production of books, papers, and documents; to employ stenographers at a cost of not exceeding 25 cents per hundred words. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpoenas for witnesses shall be issued under the signature of the chairman or any member of the committee. Every person who, having been summoned as a witness by authority of said committee, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The question is upon agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. LODGE. Mr. President, under the provision in the resolution I offer the following list of names for the members of the committee of five to serve under the resolution; and on that, under the resolution, we are to take a vote.

The PRESIDENT pro tempore. The Secretary will read the list of names submitted by the Senator from Massachusetts. The principal clerk read as follows:

Senator BORAH, chairman; Senator JONES of Washington; Senator SHIPSTEAD, of Minnesota; Senator CARAWAY, of Arkansas; and Senator BAYARD, of Delaware.

The PRESIDENT pro tempore. The question is upon the election of these five Senators as members of the committee. [Putting the question.] The ayes have it, and the committee is duly elected.

Mr. REED of Missouri. Mr. President, I ask unanimous consent to amend the resolution just passed by including candidates for the Senate. It can be done by unanimous consent.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Missouri. The Chair is of the opinion that the vote by which the resolution was adopted must be reconsidered.

Mr. REED of Missouri. I think almost anything can be done by unanimous consent, and I ask unanimous consent for the reconsideration of the vote and for the insertion of the amendment.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the vote is reconsidered.

Mr. REED of Missouri. I now ask unanimous consent to insert, after the word "electors," in line 6, the words "and Senators of the United States Senate."

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. After the word "electors," in line 6, it is proposed to insert "and Senators of the United States Senate."

Mr. OVERMAN. Let us have the resolution read as it would read if amended.

The PRESIDENT pro tempore. The Secretary will read that portion of the resolution proposed to be amended.

The reading clerk read as follows:

or in support of, or in opposition to, any and all candidates for President and Vice President and presidential electors and Senators of the United States Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS

Mr. HARRELD. Mr. President, I ask unanimous consent to take up Senate Resolution 241. If it is not agreed to at this time, it will be worthless. I ask to have it read.

The PRESIDENT pro tempore. The Senator from Oklahoma asks unanimous consent for the present consideration of Senate Resolution 241.

Mr. OVERMAN. What is the resolution?

Mr. HARRELD. Senate Resolution 241. It has just been reported by the Committee to Audit and Control the Contingent Expenses of the Senate, and unless it is passed to-day it is absolutely worthless and useless. I should like to have it considered at this time.

Mr. OVERMAN. Let it be read.

The PRESIDENT pro tempore. The resolution will be read. The principal clerk read Senate Resolution 241, submitted by Mr. HARRELD May 28, 1924, as follows:

Resolved, That Senate Resolution 112, agreed to January 7, 1924, authorizing the Committee on Indian Affairs or any subcommittee thereof during the Sixty-eighth Congress to hold and report hearings upon any subject which may come before said committee, be, and hereby is, amended to enable said committee or any subcommittee thereof to hold such hearings at such times and places as may be considered necessary by the committee or its subcommittee, the expenses incident thereto to be paid out of the contingent fund of the Senate.

Mr. OVERMAN. Mr. President, the contingent fund of the Senate is over \$300,000 more than it has been in past years. I am not going to object to the resolution, but I just want to inform the Senate that in every deficiency bill that comes here we have to make a \$100,000 appropriation here, \$50,000 there, \$150,000 here, for the contingent fund; and therefore we ought to be very careful what we do about appropriating for junketing committees to go all over this country.

The PRESIDING OFFICER (Mr. MOSES in the chair). Is there objection to the present consideration of the resolution? The Chair hears none. The amendments of the committee will be stated.

The PRINCIPAL CLERK. On page 1, line 6, after the word "enable," it is proposed to strike out "said committee or any"

and insert "a," and at the end of line 6 to strike out "to" and to insert "consisting of not more than three members to."

The amendments were agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That Senate Resolution 112, agreed to January 7, 1924, authorizing the Committee on Indian Affairs or any subcommittee thereof during the Sixty-eighth Congress to hold and report hearings upon any subject which may come before said committee, be, and hereby is, amended to enable a subcommittee thereof consisting of not more than three members to hold such hearings at such times and places as may be considered necessary by the committee or its subcommittee; the expenses incident thereto to be paid out of the contingent fund of the Senate.

Mr. WALSH of Massachusetts. I ask for the regular order.

Mr. NORBECK. Mr. President—

The PRESIDING OFFICER. The regular order is demanded. Reports of committees are in order.

PRICES OF FARM PRODUCTS

Mr. NORBECK. Mr. President, the Committee to Audit and Control the Contingent Expenses of the Senate has just reported on Senate Resolution 249. That permits an investigation by the Committee on Agriculture and Forestry during the recess as to the losses to the farmers in the price of wheat on account of Government interference through price fixing. It permits the committee to hold hearings in Washington or elsewhere.

It was talked over in the committee, and it was agreed that there would be no expensive investigation; that there might be a few hearings prior to the convening of Congress, but a great deal of the information would be secured from the department here later. The resolution provides for a report on the 1st of January, or before.

This is the only thing along the line of looking after the wheat situation, except the so-called Bursum bill, which is pending here. That is a measure really providing for reimbursing the farmers \$50,000,000, which the Government took away from them in prices. It provides for a bonus of 35 cents a bushel on the export of wheat, in the belief that it will put the domestic price up some 25 to 35 cents per bushel. It is too late to get that bill through. The parliamentary situation does not permit that. Therefore, I just want to give notice that when some House bill comes up we from the Northwest have agreed that we will offer that proposition as a rider or an amendment to that bill. It is estimated that the cost for one year would be approximately \$50,000,000. A suggestion has been made that it should also include corn, and the export on corn being very small, and the bonus proposed being 15 cents a bushel, it is estimated that it will cost something like \$4,000,000.

I ask unanimous consent that Senate Resolution 249 be considered.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the resolving clause and to insert a substitute, so as to make the resolution read:

Whereas the Government of the United States during the World War generally maintained a policy of noninterference with the prices of staple commodities; and

Whereas this policy resulted in the prices of most commodities soaring to entirely new and unheard-of price levels; and

Whereas the Government did not follow its policy of noninterference in regard to wheat; but, on the other hand, by various means, did depress the price of wheat until it was finally fixed at \$2.20 per bushel; and

Whereas such price was much below the prevailing market price at the time it was fixed: Now, therefore, be it

Resolved, That the Senate Committee on Agriculture and Forestry, or any subcommittee thereof, be and is authorized and directed to hold hearings in Washington and elsewhere to investigate the amount of losses that were sustained by the wheat growers of the United States during the period of governmental interference with and regulation of the price of wheat, and make report to Congress not later than January 1, 1925.

Said Committee on Agriculture and Forestry, or any subcommittee thereof, is authorized to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on this subject before said committee, all expenses incurred in furtherance of the purpose hereof to be paid out of the contingent fund of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

TRANSPORTATION OF COTTON

Mr. SMITH. Mr. President, yesterday a resolution (S. Res. 252) offered by me was passed, the resolution being in reference to investigating certain alleged infractions of the anti-trust law. Inadvertently I left out a part which should have been incorporated. I ask unanimous consent that the vote by which the resolution was agreed to be reconsidered and that I be allowed to substitute the resolution which I send to the desk.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Chair lays before the Senate the resolution in modified form.

The modified resolution (S. Res. 252) was read, considered, and agreed to, as follows:

That for the purpose of providing the Congress with information to serve as a basis for such legislation as may in its opinion be found necessary for the regulation of the shipment or sale of cotton in interstate and foreign commerce and to investigate and report the facts relating to any alleged violations of the antitrust acts by any corporation, the Federal Trade Commission is authorized and directed to investigate (in pursuance of the powers conferred upon it by subdivision (d) of section 6 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, as amended, and in pursuance of any other power conferred upon it by such act) the facts relating to alleged shipments and sales in interstate or foreign commerce by cotton factors or shippers of cotton held by them as security for advances or otherwise, and to report to the Senate, not later than December 1, 1924, its findings thereon, together with such recommendations as it may deem advisable.

LEASES UPON NAVAL OIL RESERVES

Mr. WALSH of Montana. Mr. President, yesterday I entered a motion that the Senate adopt the report presented by the Committee on Public Lands investigating the naval oil leases. I merely desire to say in this connection that it seems quite unnecessary to review the facts recited in the report as they are substantially the same as they were given by me to the Senate some two months ago, save for the facts developed in relation to naval reserve No. 2, of no very great importance.

The committee has informed the Senate generally concerning these disclosures, and I feel entirely justified in saying that the report is substantially as the facts have been given to the Senate heretofore.

I feel that before the session expires the Senate ought to express either its approval or disapproval of the work of the committee.

The PRESIDING OFFICER. The question is upon agreeing to the motion entered yesterday by the Senator from Montana and now called up.

Mr. SPENCER. Mr. President, I very much regret this situation. In that report there is no recommendation which requires action. The motion is for the Senate to adopt a report which, of course, the Senate has not read, for it was filed only yesterday, to adopt a report from a committee five members of which have begged for an opportunity to investigate the facts of the report.

If any action were required now, I should make no opposition to the motion. If there were any recommendation that required any action, it would be another question. We are called upon to pass upon the report and adopt it when the five members of the committee which had the matter under investigation are not sufficiently familiar with the report to pass upon it, and of course no Member of the Senate has had an opportunity to read it.

I can not let that report be adopted without some fair expression of the reasons which even upon a casual examination lead me to think it ought to be further considered, and I beg the Senate to believe me when I say that I regret the situation exceedingly, for in the necessity of the case it will take much time to go over the facts which I must present to the Senate.

I begged that it might be deferred. I am met with a condition which I deplore, and which I could not prevent, and therefore I must take up the report with the Senate.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kansas?

Mr. SPENCER. I yield.

Mr. CURTIS. In view of the statement of the Senator from Missouri, I want to ask if the report could not go over? This is the last day of the session, and there are a good many measures coming up. Besides, I wanted to get an hour, if I could, for the consideration of unobjected bills on the calendar.

Mr. WALSH of Montana. Mr. President, I have a number of bills on the calendar in which I am very deeply interested, but this comes up in its regular order. I can see no reason why it should not be disposed of. I do not think there is any occasion for any protracted discussion. The Senator from Missouri is at perfect liberty at any time to submit a report of his own. He might at any time have prepared a report of his own. The hearings were discontinued quite a while ago. The report has been in his hands for three days. It seems to me by this time that he ought to have been in shape to submit to the Senate any observations he may care to make in respect to it.

Mr. SPENCER. Mr. President, I am sure the Senator will recognize the fairness of the statement when I say that three days, in the present condition of business in the Senate, is no time for consideration. If I stood alone—because I have not been long upon that committee, and because I recognize the ability of the Senator from Montana on that committee—I should not be here taking this position, but when five members of that committee, including the senior Senator from Utah [Mr. SMOOR], who was formerly the chairman, begged the Senator from Montana to defer the report, which requires no immediate action, I can not let it go in without a fair statement of the reasons why I do not agree to that report.

PAYMENT OF TAXES TO STEVENS AND FERRY COUNTIES, WASH.

Mr. DILL. Mr. President, will the Senator yield?

Mr. SPENCER. I yield.

Mr. DILL. Before the Senator takes up that matter, would he yield to me for a moment to have passed a little bill to pay taxes to two counties in my State?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. DILL. If it will lead to any debate, I will withdraw it.

Mr. SPENCER. I yield with pleasure, if I do not lose my right to the floor.

The PRESIDING OFFICER. The Chair can not guarantee that.

Mr. SPENCER. Then I must go on. I would yield to the Senator in a moment. Or, I will say now, I ask for unanimous consent to allow me to yield to the Senator to have his measure acted upon, to resume the floor at the conclusion of the consideration of his bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Washington is recognized.

Mr. DILL. I ask unanimous consent for the immediate consideration of House bill 1414, to authorize the payment of certain taxes to Stevens and Ferry Counties, in the State of Washington, and for other purposes.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The reading clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Stevens and Ferry Counties, in the State of Washington, as taxes claimed by said counties under section 2 of the act of July 1, 1892, relating to the payment of local taxes, on allotted Colville Indian lands, the following sums, to wit: To Stevens County, \$44,309.67; to Ferry County, \$71,458: *Provided*, That there may be deducted from said amounts by the Secretary of the Interior such sum or sums as he may find have been paid to said counties for Indian tuition; also the excess, if any, where the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable land.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, \$115,767.67, or so much thereof as may be necessary, for the payment of said sums to said counties, as provided in the foregoing section.

Mr. WALSH of Montana. Mr. President—

Mr. DILL. This bill has passed the Senate twice. It came over from the House. These counties have been waiting many years for this money, and I hope the Senator will not object.

Mr. WALSH of Montana. I do not care to object, and I would not object to it, but I notice other Senators standing here with bills in their hands ready to make similar requests?

Mr. DILL. I think the Senator might give notice that he will not yield to any others.

Mr. WALSH of Montana. I do not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BICENTENNIAL CELEBRATION OF BIRTH OF GEORGE WASHINGTON

Mr. FESS. Mr. President.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. SPENCER. Mr. President, I ask unanimous consent that after I have yielded to the Senator from Ohio I may resume the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Ohio is recognized.

Mr. SPENCER. I yield to the Senator from Ohio.

Mr. FESS. I ask that the Chair lay before the Senate Senate Joint Resolution 85, authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington.

Mr. PITTMAN. I would have to object to that unless it is understood that the pending motion is simply temporarily laid aside for this purpose.

The PRESIDING OFFICER. The unanimous-consent agreement, as the Chair understands it, was that the Senator from Missouri was to yield to the Senator from Ohio, and then the Senator from Missouri was entitled to resume the floor and continue discussion of the motion entered by the Senator from Montana.

Mr. PITTMAN. And that proceeding does not displace that motion?

The PRESIDING OFFICER. Under the Chair's understanding of the unanimous-consent agreement, what may be regarded as the unfinished business before the Senate is the motion of the Senator from Montana.

Mr. PITTMAN. Very well.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 85) authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington, which were:

To strike out the preamble.

On page 2, lines 8 and 9, to strike out "the President pro tempore" and insert "Presiding Officer."

On page 3, to strike out all after "to" where it appears the first time in line 15, down to and including "participation" in line 16, and to insert "communicate with governments of such nations."

On page 4, line 8, after the word "duties," insert a comma and "out of the amount appropriated."

On page 4, strike out all after "enacted" in line 11 down to and including "approved" in line 12.

Mr. FESS. I move that the Senate concur in the House amendments.

The motion was agreed to.

Mr. WARREN. I will ask the Senator from Missouri if he will yield to me a moment without taking him from the floor.

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from Wyoming I may resume the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none. The Senator from Wyoming is recognized.

MRS. EMMA B. WOODS

Mr. WARREN. I ask for the present consideration of Senate Resolution 250, reported this morning from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

There being no objection, the resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to pay out of the contingent fund of the Senate the sum of \$6,000 to Mrs. Emma B. Woods, widow of the late Elliott Woods, Architect of the Capitol, said sum being the amount of one year's salary received by him at the time of his death.

REARRANGEMENT OF SENATE CHAMBER

Mr. COPELAND and others addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. SPENCER. I ask unanimous consent that after I have yielded to the Senator from New York [Mr. COPELAND] I may resume the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. NEELY. Mr. President, I shall have to object after this. I shall object to any more unanimous-consent requests, because the Senator from Missouri will in that way be able to keep the floor all afternoon.

Mr. COPELAND. I ask that the Senator from West Virginia withhold his objection until I have made a statement. I have a resolution which, unless it is passed to-day, will be of no value.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New York?

Mr. SPENCER. I understand the objection of the Senator from West Virginia was that after this unanimous consent he would object, but not to this one.

Mr. NEELY. Yes; I said after this.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Missouri? The Chair hears none, and under the unanimous-consent agreement the Senator from New York is recognized.

Mr. JONES of Washington. Mr. President, I hope the Senator from West Virginia will not make that statement too positive until he may know the circumstances involved with reference to other cases.

Mr. NEELY. We will cross that bridge when we come to it.

Mr. JONES of Washington. I thought the Senator was closing the bridge.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. COPELAND. I ask unanimous consent for the present consideration of Senate Resolution 231, relating to the ventilation of the Senate Chamber.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. BORAH. As I understand it, the resolution is to bring the Senate in touch with the outside world?

Mr. COPELAND. That is included as a possibility.

There being no objection, the resolution was considered by unanimous consent and was agreed to, as follows:

Resolved, That the Architect of the Capitol be authorized and directed, under the supervision of the Senate Committee on Rules, to consult with architects of repute and expert in ventilation and acoustics with a view to improving the living conditions of the Senate Chamber, and giving attention to rearrangement and reconstruction, including a plan to place the Chamber in direct contact with the outer wall or walls of the building, and to report with plans to the President pro tempore of the Senate on the first Monday of December, 1924. The expenses hereunder, not to exceed the sum of \$10,000, shall be paid out of the contingent fund of the Senate.

IMPORTATION OF CRUDE OPIUM

Mr. SMOOT. Mr. President, will the Senator from Missouri yield to me?

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from Utah I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and under the unanimous-consent agreement the Senator from Utah is recognized.

Mr. SMOOT. The bill (H. R. 7079) prohibiting the importation of crude opium for the purpose of manufacturing heroin is the bill which I ask unanimous consent to have considered at this time. There is a convention to be held in Europe within a very short time, and it is necessary that we pass the bill before that convention if we are going to have any effect in the convention as a Nation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That subdivision (b) of section 2 of the act entitled "An act to prohibit the importation and the use of opium for other than medicinal purposes," approved February 9, 1909, as amended, is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma and the following: "but no crude opium may be imported or brought in for the purpose of manufacturing heroin."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS OF COWLITZ INDIANS

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. JONES of Washington. Mr. President, will the Senator from Missouri yield to me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. SPENCER. I ask unanimous consent that when I have yielded to the Senator from Washington I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and under the unanimous-consent agreement the Senator from Washington is recognized.

Mr. JONES of Washington. The bill (H. R. 71) is a bill authorizing the Cowlitz Indians to take certain of their claims to the Court of Claims. The bill has passed the Senate several times, and has now passed the House. It is in the ordinary form, referring the matter to the Court of Claims.

Mr. OVERMAN. Does the bill provide for judgment?

Mr. JONES of Washington. It does provide for judgment, but I am willing to modify it if the Senator insists upon it. It passed the House in that form, and I hope the Senator will not object.

Mr. OVERMAN. Hereafter I wish to suggest to Senators that all bills referring matters to the Court of Claims leave out the words "proceed to judgment." They have no jurors in that court. Just let the matter be referred to the court and let the court state the facts and report them to Congress.

Mr. JONES of Washington. I am willing to modify it to that extent.

Mr. FLETCHER. I think it is in the usual form.

Mr. OVERMAN. But many bills pass without that provision.

Mr. JONES of Washington. I am willing to strike out those words.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 71) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims.

The PRESIDING OFFICER. The Clerk will state the amendment proposed by the Senator from Washington.

The READING CLERK. On page 1, line 10, strike out "to render final judgment" and insert "report to Congress," and on page 2, line 3, after "premises," insert the words "and report the same to Congress," so as to make the bill read:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Cowlitz Tribe of Indians, residing in the State of Washington, may have against the United States shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and report to Congress thereon.

The Court of Claims shall have authority to determine and adjudge the rights, both legal and equitable, of the said Cowlitz Tribe and of the United States in the premises, and report the same to Congress, notwithstanding lapse of time or statutes of limitations, and any payment including gratuities which the United States may have made to the said Indians shall not be pleaded as an estoppel, but may be pleaded as an offset in any suit or action, and the United States shall be allowed credit for all sums, if any, paid or expended for the said tribe. Any other band or tribe of Indians the court may deem necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order. The suit or suits instituted hereunder shall be begun within five years after the date of the passage of this act by the Cowlitz Tribe of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed in said claims by the Cowlitz Tribe upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That upon the final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, and in no event to amount in the aggregate to more than \$25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorney or attorneys employed by the said Cowlitz Tribe of Indians under contract approved as required by existing law, and such fee shall be included in the decree and shall be paid out of any sum or sums found due said tribe.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill bill to be read a third time.

The bill was read the third time and passed.

L. A. SCOTT

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Florida?

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from Florida I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. WADSWORTH. Reserving the right to object, my curiosity at last has been aroused. We are calling the calendar? If so, I wish to ask the Senator from Missouri to yield to me for the consideration of three or four bills that are on the calendar.

Mr. FLETCHER. We are not calling the calendar.

Mr. WADSWORTH. We ought to give an hour or two of the time of the Senate to the consideration of bills on the calendar instead of proceeding in this way.

The PRESIDING OFFICER. The Chair will suggest to the Senator from New York that under the present procedure, if continued, the calendar will be completed in a short time.

Mr. WADSWORTH. I have no objection. I merely want to understand the situation.

Mr. FLETCHER. The bill could have been passed while we have been having this discussion.

Mr. WADSWORTH. We had better understand how we are doing this, because I expect to participate if it is continued.

The PRESIDING OFFICER. The Senator from Missouri has proposed a unanimous consent request that after yielding to the Senator from Florida he be permitted to continue his remarks. Is there objection? The Chair hears none, and the Senator from Florida is recognized.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill (H. R. 3537) for the relief of L. A. Scott. A similar bill has passed the Senate two or three times, and this bill has now passed the House.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay the sum of \$3,578.62 out of any money in the Treasury not otherwise appropriated to L. A. Scott as compensation for and in full satisfaction of any claim for damages as a result of a collision between the mine planter *Maj. Albert G. Jenkins* and the American schooner *Golden State* at Pensacola, Fla.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The Senator from Missouri will continue his remarks.

NORTHWEST TERRITORY GRANTS

Mr. NEELY and Mr. SIMMONS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. SPENCER. I ask unanimous consent that after I shall have yielded to the Senator from West Virginia [Mr. NEELY] I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and under the unanimous-consent agreement the Senator from West Virginia is recognized.

Mr. NEELY. I ask unanimous consent to have printed in the RECORD an article appearing in the West Virginia Bar, relating to the claims of West Virginia against the Federal Government growing out of the northwest territory grants.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN IMPORTANT MESSAGE TO THE BAR OF WEST VIRGINIA—SENATOR CHILTON PRESENTS AN ILLUMINATING EXPOSITION OF THE CLAIM OF THIS STATE BASED UPON THE CESSION OF THE NORTHWEST TERRITORY

To the Bar:

For the purpose of bringing an important legal and public matter to the attention of the lawyers, as well as the people of West Virginia, I am asking you to do me the favor of publishing some notes of facts and authorities upon the claim of West Virginia against the National Government. As you are no doubt aware, in April, 1912, I introduced a bill in the Senate of the United States, the object of which was to give the consent of the United States to the bringing of a suit by West Virginia or any of the thirteen original States, to settle the trust, which, in my judgment, was created by the cession of the Northwest Territory to the old Confederation and which was accepted by the Continental Congress on March 1, 1784. This bill was approved by the Senate

Judiciary Committee of two Congresses. It was passed by the Senate in the Sixty-fourth Congress, and was reported favorably by the Judiciary Committee of the House shortly before the expiration of my term as Senator.

The essential facts upon which this claim is based are set forth in the address which I had the honor to make in the Senate of the United States, on April 10, 1912. There are two barriers of a general nature to overcome before this claim can be brought out into the light of day and decided upon its merits. One is that, so to speak, it is covered with the dust of ages. The other is that lawyers and the people generally have not taken the time to study its merits. I fully realized at the time I brought the matter to the attention of the United States Senate that, in a way, I was challenging accepted history. Virginia has been held up by her own people and the people of the country as a great benefactor for having made the sacrifice of giving to the Nation the vast territory northwest of the Ohio River, comprising the States of Ohio, Illinois, Wisconsin, Michigan, and a part of Minnesota, to the National Government. Thus it is written down in history. And since it is now proposed to show to the country that such is not the exact truth, we must surmount, not only the plea of long acquiescence, but also hundreds of historical enconiums on the munificence of the mother State, extending from 1784 until a few years ago. None of the praise given Virginia for her munificence, in the hour of national peril and necessity, need be withdrawn. She gave with a bountiful hand, but history has, in its enthusiasm for a patriotic act, exaggerated, as usually is the case. I venture to say that if the bar of West Virginia, and the reading people of the State, will give but a few hours time to a study of the facts as they are, they will agree with me that our case is so strong and clear that it will survive both the inaccuracies of history and everything that can possibly be construed into acquiescence, on our part, in the assumed attitude of the Government.

In pressing this claim, as I have done on more than one occasion in the Senate, before the Committee on the Judiciary and before its subcommittees, to which this measure was referred, I have been confronted with the query: "Why do not the people of West Virginia take more interest in the claim and press it?" I was relieved somewhat by the resolution of the Legislature of 1913, calling upon Senators and Representatives in Congress from this State to urge upon Congress, legislation which would enable West Virginia to be heard. The Legislature of Virginia has also passed resolutions of the same purport. However, it is plain that, as yet, there is not behind the movement that earnestness of conviction which is necessary to success. This is not said in a sense of complaining, because it is quite natural. It is not to be expected that many of our people have given that study and thought to the subject necessary to overcome impressions of accepted history; and it is to the credit of the people that they demand more than mere assertion before pressing a claim against their Government. I have an abiding conviction that when the whole State of West Virginia shall understand this case as it is, they will see to it that it shall be pressed upon Congress. It is in the earnest hope that the bar, the press, and the people may study this question, and be convinced of the justice of our claim, as I am, that I want to present, in your columns, the facts, and some of the arguments, in favor of the claim.

We must bear in mind always that the present Constitution of the United States was not ratified by sufficient States to make it effective until 1789. Before that we had a Confederation of the States, which was a very weak organization in which the Federal authority could not compel the States to pay taxes, nor do anything else. Up to 1781 Maryland had not joined the Confederation, so that instead of it being a federation of 13 States, it was a federation of only 12 States. In 1779 Maryland passed resolutions laying before the Continental Congress the reasons why she did not join the federation. These reasons were, speaking generally, that some of the States, including Virginia, had claims to western lands, and, Maryland argued, that in case the Colonies or States should gain their independence by the Revolutionary War, then being fought, those States could sell their lands in the West, thereby lessening their taxes, and thereby attracting population from the States not so favorably situated.

The Continental Congress then passed the following resolution:

Resolved, That copies of the several papers referred to the committee be transmitted, with a copy of the report, to the legislatures of the several States, and that it be earnestly recommended to those who have claims to the western country to pass such laws and give their Delegates in Congress such powers as may effectually remove the only obstacle to a final ratification of the Articles of Confederation; and that the Legislature of Maryland be earnestly requested to authorize the Delegates in Congress to subscribe the said article."

Note, in passing, that the western land situation was "the only obstacle to the final ratification of the Articles of Confederation" and that the Continental Congress was urging Maryland to ratify the articles, and thus complete the Confederation.

After this, to wit, in January, 1781, Virginia passed a resolution of her legislature, setting forth the terms upon which she would convey to the Federation her northwestern lands. In that resolution it was provided that the territory should be laid out and formed into States not less than 100, nor more than 150 miles square, and that the States should be distinct republican States, and admitted as members of the Federal Union. It provided, further, that the expenses incurred by Virginia in subduing the British posts and maintaining forts and garrisons and acquiring the territory, should be reimbursed by the United States; that the French and Canadian inhabitants, who professed themselves citizens of Virginia, should be protected in their holdings, and that a quantity of land, not exceeding 150,000 acres, should be allowed to Gen. George Rodgers Clark, and to his officers and soldiers, and thereafter it contained the following clause:

"That all the land within the territory so ceded to the United States and not reserved or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American Army, shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the Confederation, or Federal Alliance, of the said States, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose and for no other use or purpose whatsoever."

Immediately after this resolution of the Legislature of Virginia was passed—that is, in March, 1781—Maryland ratified the Federal compact, and from that time there was a Confederation of the thirteen original States. The bounty of Virginia had been sufficient to complete the Federal compact. All that the Continental Congress had asked her to do was "to remove the only obstacle to a final ratification of confederation" so as to bring Maryland into the Union. Virginia did it; and even before the cession was formally made, Maryland, relying upon the honor of Virginia to act in accordance with the resolutions of her legislature, and upon Congress to accept the trust, ratified and signed the Federal compact.

On March 1, 1784, Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, Delegates from Virginia to the Continental Congress, presented the deed of cession to the Congress, in which deed the resolutions of January, 1781, were set forth at length, including the trust clause quoted above. Thereupon, Mr. Howell, of Rhode Island, presented a series of resolutions accepting the deed and the same was "enrolled among the acts of the United States in Congress assembled." As a matter of fact, before the final resolution was passed, a motion was made to accept the deed without the conditions named by Virginia, but that motion was laid on the table, and then the resolution of Mr. Howell prevailed. This action is contemporaneous with, in fact a part of, the history of the grant and its acceptance, which almost conclusively proves that Virginia, as well as the Congress, set some store upon the "conditions and stipulations" of the deed as Chief Justice Marshall afterwards designated this trust clause.

After this the United States decided to make five States out of the territory, and recognizing the conditions of the deed of cession, on July 7, 1786, it made application to the State of Virginia for its consent to change the conditions, so far as it related to the limits of new States; and on December 30, 1788, the General Assembly of the State of Virginia made the modification requested by Congress. See Journal of Congress, July 7, 1788; Hennings Statutes of Virginia, volume 12, page 780. This is mentioned here to show that the fact that the grant was not absolute was recognized by the Confederation. If the deed were absolute, what had Virginia to do with the situation afterwards? The necessity to obtain Virginia's consent arose out of the "conditions and stipulations" of the deed of cession; that same deed contained "conditions and stipulations" as specific as were those relating to the political status.

In 1789 the present Constitution of the United States was adopted. It is provided in that instrument that when adopted by nine of the States it should become effective as to the nine adopting it, and the ninth State ratified it in that year.

The Constitution, Article IV, section 3, provided that—

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State."

The deed of cession gave the power to the Continental Congress to dispose of the land. It says that the property "shall be faithfully and bona fide disposed of," etc. But recognizing that it was necessary that there should be delegated to the new Government the power to dispose of the public domain, Article IV, section 3, was inserted. But can we not see the hand of the Virginian in the second clause, so modifying the general power of disposing of the public domain as to make it clear that the claim "of any particular State" should not be prejudiced by that general grant of power? What claim of any "particular State" could there have been except the claim arising from the grant or grants of western lands? Why should this clause guarding the

"claim of any particular State" be inserted in the section dealing with the public domain except to protect the States under the western land grant?

Again, by accepting the grant, the old Confederation was made a trustee under the terms of the trust set out in the grant. Therefore, Article VI of the Constitution provides:

"All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation."

The effect of this provision is that when the acts of the Confederation made it a trustee, the new United States became likewise a trustee. Note the words again, "all debts contracted and engagements entered into," etc. The framers of the Constitution were not satisfied to protect "contracts." It might be doubtful that the acceptance of the trust was a contract on the part of the Confederation, since the latter probably had no power to enter into such a contract. But it had, nevertheless, engaged to do so. The Confederation had an "engagement" to act as trustee, and that "engagement" was recognized in the new Constitution. There are many other material facts and details of this momentous transaction, all of which, so far as I have been able to construe them, speak for the contention of Virginia and West Virginia rather than against it, and I do not take the space to recite them here. If this movement shall ever develop into a litigation, no doubt the industrious lawyers will bring them out and analyze and mass them upon the one side or the other of the controversy. But no one will ever find any release or waiver by Virginia of the trust contained in the original grant and in the resolutions of 1781.

I now desire to call attention to the terms of that trust. First, let us inquire what land was embraced in it; for besides the political considerations of the grant, Virginia conveyed the fee of the land. The trust provides that "all the land within the territory so ceded and not reserved or appropriated," etc., "shall be considered as a common fund," etc. This is clear, because immediately preceding this clause of the deed of cession it explicitly states what land should be reserved. In administering the trust the United States had no trouble in specifying the reserved lands, and it promptly and without trouble took possession of all of the land not so reserved or appropriated in the grant. This brings us to the other terms of the trust, as follows: "Shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the Confederation, or Federal Alliance, of the said States, Virginia inclusive," etc. It is my contention and claim that this clause meant that the thirteen original States should be the beneficiaries, and not the forty-eight States which constitute the Union, nor the entire, the United States, as afterwards organized; and that for the following reasons: First, the States were to participate "according to their usual respective proportions in the general charge and expenditure." The only States which could have paid, or did, in fact, pay anything into the general charge and expenditure, were the thirteen original States which formed the Confederation, which continued in the Federation until the new Constitution was adopted, carried on the Revolutionary War, and brought it to a successful conclusion. There is nothing uncertain about this description, because by Article VIII of the Confederation the expenses of the war were paid out of a common fund "supplied in proportion to the value of the land in each State." This provision of the Articles of Confederation was carried into effect by the appointment of commissioners to value the land in each State, and upon this basis of valuation each State paid into the common fund. Not a single one of the 35 States which have been admitted into the Union since the Constitution was adopted could come in as answering the descriptive terms "according to the usual respective proportions in the general charge and expenditure," nor could any one of them claim they "had become members of the Confederation or Federal Alliance."

At the time Virginia passed her resolution, and at the time the deed of cession was made and accepted, there were no entities or organization of States except the thirteen original States.

The reason why Virginia described them as States which "have become, or shall become, members, etc.," was that Maryland had not at that time joined the confederation, and the very purpose of Virginia in making the grant, as I have shown, was to induce Maryland to become a member of the confederation. If Maryland had not joined the confederation she could not have participated. It seems impossible to escape this conclusion, when the history of the transaction is taken into consideration. How can it be controverted that the 35 States, which then had no political or other existence, and did not pay, and could not have paid, anything into the "general charge and expenditure," were not meant to be embraced as beneficiaries in the trust. Secondly, bear in mind the words, "Virginia inclusive" in the trust clause. Virginia intended to make it plain that she, the grantor, should be included among the beneficiaries of the trust. The Constitution could have been ratified by 9 States, and it was among the possibilities that Virginia would not ratify it. Indeed, it was ratified by only 10 majority in the Virginia convention. It might have happened that 9 States would have adopted the new Constitution and

that Virginia would have failed or refused to do so, and that then the 9 adopting it would have formed the present United States Government. In that event, those who may claim that the adoption of the Constitution wiped out all that happened before, or that the condition of the grant embraced the States which were afterwards admitted into the present United States, would put Virginia in the strange attitude of creating a trust, in which the trustee would have the right to ignore, not only the essential conditions of the trust, but also leave out Virginia as a beneficiary. By the words, "Virginia inclusive" the intent to make the beneficiaries separate States and not the general entity of the Union as it might thereafter develop, becomes clear. It so happened that Virginia did ratify the Constitution, but we must look upon this trust and construe it so as to make it consistent with the ratification or failure of ratification by Virginia. If Virginia had failed to ratify the Constitution, certainly the 9 States could not have dissolved the old confederation, converting a trust intended for the 13 States into a trust for the benefit of the 9 States ratifying, leaving Virginia entirely out. It is clear to me that this trust, or what is the same thing, "the use and benefit of this land," was intended for the 12 States which had ratified the old confederation, and for Maryland, if she did thereafter come in, which she did, and that Virginia and the old confederation thoroughly understood that the bounty of Virginia extended to the 13 colonies or States with whom she had been associated during the Revolutionary War, and each was to participate in the "use and benefits" in the proportion that it had contributed to the expenses. Thus there was created a trust wherein the property is described, the trustee is named, the beneficiaries designated with accuracy, so that a clerk with a pencil can in a short time ascertain from public records the exact interest which each beneficiary has in the trust. With that intention, Virginia provided that this trust fund or property "shall be faithfully and bona fide disposed of for that purpose, and for no other purpose whatsoever." What defense could the defaulting or delinquent trustee make under such an instrument in a court of equity were the beneficiaries and trustee individuals instead of sovereign States?

West Virginia claims that the United States has not been faithful to that trust. This territory embraced, as nearly as can be ascertained, the following acreage:

In Ohio	25,576,960
In Indiana	21,937,760
In Illinois	35,465,093
In Wisconsin	34,511,360
In Michigan	36,128,640
In Minnesota, east of Mississippi River	16,588,800
Total	170,208,613

This land has been granted to States for local uses, to individuals, to colleges and schools, and the rest of it has been sold and the money covered into the Treasury of the United States, and even this latter, instead of being paid to each of the thirteen original States in the proportion that they severally paid into the "general charge and expenditure" during the time of the confederation, has been expended for governmental purposes on the general account of the United States Government.

There is no contention that the land can be recovered, because the right to dispose of the land was specifically vested in the trustee by the deed of cession, and section 3 of article 4, as we have shown, also gives the Congress that power. It need not be inquired into now as to how this power granted by the Constitution would have affected the situation if the original deed had not granted the power. Inasmuch as both the deed and the Constitution gave the power to Congress to sell the trust subject, no one of the beneficiaries can complain that the property was sold. But the beneficiaries can complain that the trustee gave away the trust subject and converted the proceeds of the land sold to purposes other than those specified in the trust.

If the above propositions are correct, the United States stands in the position of a delinquent trustee, which is one of the most unenviable positions which an individual, a corporation, or a municipality can occupy. The old confederation had taken into her hands a sacred trust. The reasons which moved Virginia to part with her land were that the original Federal compact, formed to prosecute the Revolutionary War, could not be completed without a sacrifice on Virginia's part. Besides, the Federal Government at that time was without funds and without much credit. Virginia placed a vast domain of over 170,000,000 acres of land into the hands of the then Federal Government, which at once gave it credit and standing and removed causes of dissension among the thirteen original States. Virginia was willing that her 12 sister States should participate with her in this "common fund," and she, therefore, guarded the grant so that these 12 sister States should each participate with her, each to have the same proportion in the proceeds of the land that it had contributed to the "general charge and expenditure." But Virginia never contemplated that 9 States, or 13 States, either with her or without

her, could thereafter form a government, put into the Constitution of the new Government a clause making the new Government a trustee, as was the old confederation, and convert the deed of trust into an absolute deed in fee simple to any Government of the United States which might thereafter develop. She did not contemplate that there would be 35 States formed from the territory conveyed as from territory purchased from Spain and France, and from territory acquired by war or treaty, and that these 35 States, who had no existence and were not in contemplation when the original deed was made, and which could not, and did not, pay anything into the "general charge and expenditure" for prosecuting the Revolutionary War, should be the beneficiaries the same as those it had so specifically described in the original deed. It is not right, legally or morally, for the present National Government to take any position which will do violence to the self-evident intention of the parties to this transaction in 1784.

One word regarding Virginia's title. It is sufficient to state that under the deed the United States acquired possession and has conveyed title to the land embraced in the deed. It does not now lie in the mouth of the United States to say that the grantor in the deed of trust did not have title to the land, as an excuse or defense for not paying over the money in her hands as trustee derived from its sale. No claim is being made by any grantee. The United States has never been called upon to repay a dollar which she received for the sale of any of these lands. Her title, derived from Virginia, has been sanctioned by the Supreme Court of the United States (*Graham's Receiver v. McIntosh*, 8 Wheat. 543). By the way, in this case Chief Justice Marshall recognized that the deed from Virginia to the confederation was made upon "certain stipulations and conditions," and that is all that West Virginia claims now. But whatever may be said about the claims of New York, Connecticut, Massachusetts, or other States to the Northwest Territory, Virginia had the oldest title and asserted it. By her energy, and with her arms and means, she conquered the Northwest Territory, and converted her paper title into an actual possession. Virginia arms, under George Rogers Clark, Lord Dunmore, Gen. Andrew Lewis, and others, settled by conquest the question of the paper title; and with her deed in 1784, Virginia gave actual possession, as well as the right of possession, to the then existing Federal Government.

If it should ever be decided that after the United States, as a trustee, had taken actual possession of the trust subject and had disposed of it and converted it into money without the title which she conveyed being challenged by a single grantee, she can herself raise the question of title, it may be safely said that Virginia will have no trouble in demonstrating that her grant from England was prior in time to all other claimants, and that she added to her superior paper title and energetic and successful fight for possession. The lawyers can hardly imagine that such a monstrous proposition of law will ever be urged.

Of course, the rights of West Virginia are based upon her partnership with Virginia up to the separation in 1863. It could hardly be possible that the considerations which have been gone over in the Virginia debt suit could fail to lead to the conclusion that West Virginia is entitled to a just and equitable proportion of all of the assets of Virginia up to the time that the new State was formed. I know of no opposition in Virginia now to this basis of settlement, so far as this claim is concerned. The two Senators from Virginia stated, at the time my bill was introduced in the Senate, that Virginia conceded that West Virginia would be entitled to her proportion of whatever might be recovered from the Federal Government. I am sure that upon that point there will be no serious dispute.

I have always entertained grave doubt as to whether or not this suit could be brought in the Court of Claims. I had not examined the question with much care when I introduced the first bill. My theory then was that legislation would be required to give the consent of the Federal Government to its being sued.

I confess that a more recent investigation of the subject has left some doubt in my mind as to whether a suit can be brought now in the Court of Claims. In the case of the *United States v. Louisiana* (123 U. S. 32) it is held that the Court of Claims has jurisdiction of an action brought by a State against the United States for a demand arising upon an act of Congress. Before that time it had been contended that the clause of the Constitution giving the Supreme Court original jurisdiction in a suit in which a State was a party would prevent a State from suing in the Court of Claims. The case quoted settles that question, but it leaves open two points: First, whether or not this is a demand arising upon an act of Congress; and, second, when the statute of limitations of six years would begin to run, if it could run at all in favor of a trustee under the circumstances in this case. I will not discuss these two points, because I think the better way is to get authority from Congress to bring the suit in the Supreme Court of the United States and settle the question once and for all. But it might be well for those in authority to look into this question of the right to sue in the Court of Claims and the advisability of doing so. That is not a matter for me to decide, but it would seem to me that the right to do so would be very doubtful.

The purpose of the bill which I have introduced is to give the consent of the Federal Government to a suit. It does not ask for any money settlement by the Federal Government; it does not ask Congress to commit itself to anything, except to the proposition that the Federal Government can not afford to occupy the relation of a defaulting or delinquent trustee, especially where the beneficiaries are sovereign States. West Virginia can well urge, and I feel convinced that Virginia will second her every move in this direction, that the United States can not afford to deny to a sovereign State the right to litigate so important a matter. Indeed, it would seem to me that the Federal Government ought not to deny to a State the right to sue in the Federal court on any matter. But when it comes to a case wherein it is claimed that the Federal Government is a defaulting, delinquent, or negligent trustee, and that she is taking the benefit of a defect in the Constitution to withhold from States money or property which was placed in her hands for a purpose as sacred as the consummation of the original Federal compact and the successful prosecution of the Revolutionary War, the citizens of the country should hang their heads in shame till a settlement be made. The right to sue in the Court of Claims has already been given to Indians, Indian tribes, corporations, and individuals. Liberal with all private interests, why should the Government be a hard taskmaster with the sovereign States which gave it birth? Some court, some tribunal, must sooner or later do justice in this important matter, and it has seemed to me that now is the time for the legal profession to give the matter consideration, and for the people to consider the question fully and carefully; and, unless the judgment of the State is against my contention, let us press this claim with the vigor and determination which we have shown in other matters where the rights of all are involved.

We have been forced to submit to the decision of the Supreme Court of the United States in a case wherein a judgment for over \$12,000,000 has been rendered against us. Whatever we may do or say, however much we may believe that no such judgment should have been rendered, it is on record against us as the judgment of the highest court in the land, and to us that means the highest court on earth. In our uncertainty and doubt over this unfortunate situation in which we have been placed we find that the Federal Government owes us on a solemn contract the proceeds of an inheritance reserved to us by our forefathers of Virginia, possibly written by the hand of the great Jefferson, as he was one of the delegates who presented the deed. Shall we give it up? Shall we ignore a claim which seems so just and the evidence of which is so clear? Shall we sit by and do nothing? Or shall we grasp this opportunity like young, vigorous West Virginians are accustomed to do in everything; and by compelling power of a united, determined effort make the Halls of Congress ring with the demand for justice. With such a cause we can not and will not fail if we do our full duty.

CHARLESTON, W. VA., July 23, 1915.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SIMMONS and Mr. BRUCE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from North Carolina I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from North Carolina is recognized.

MEMORIAL ADDRESSES ON THE LATE HON. CLAUDE KITCHIN

Mr. SIMMONS. Mr. President, I ask unanimous consent to have printed in the Record a brief statement by myself with reference to the life and public services of the Hon. CLAUDE KITCHIN, late minority leader of the House of Representatives. Memorial services were held in the House for the late Mr. KITCHIN and the volume embracing the speeches of Mr. KITCHIN's colleagues on that occasion will shortly be printed. I wish my brief statement to appear in that volume. Mr. KITCHIN was one of the greatest parliamentary leaders and debaters of the present day.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SIMMONS. Mr. President, I can not permit this session of Congress to close without paying a personal tribute to the great party and parliamentary leader of the body at the other end of the Capitol who has lately passed to the Great Beyond. The House has already held memorial services in honor of Mr. KITCHIN and his colleagues in that body have spoken in just and deserved eulogy of his life and his high public service.

The old practice of holding memorial services in the Senate for Members of the House, however distinguished, has fallen into disuse. The position which CLAUDE KITCHIN attained and occupied in the Republic was so eminent and unusual, however, that it would not be fitting for the Senate to adjourn without

further notice of his death than the resolutions of sorrow and condolence that have already been unanimously adopted in this Chamber.

CLAUDE KITCHIN was twelve consecutive times elected a Representative in Congress from the second congressional district of North Carolina. He entered the House at the early age of 31 years and his conspicuous ability and devotion to his country did not have to wait long for proper recognition. It is not too much to say that Mr. KITCHIN was the greatest debater and floor leader that the Democratic Party has had in the House of Representatives in this generation. I do not think that in the forum of debate he had any superior in his day in the United States. His work in committee and in the councils of his party was equally able and useful.

For nearly a decade prior to the time he was stricken on the floor of the House, our relations were peculiarly intimate and constant. Under the two terms of the Wilson administration Mr. KITCHIN was, during the greater part of the time, chairman of the Ways and Means Committee of the House and I was chairman of the Committee on Finance of the Senate, these two committees having direct charge and jurisdiction over financial, tariff, and internal revenue legislation of the Congress. In those hard and strenuous days and nights of the World War I had opportunity extraordinary to learn the quality of the steel and the character with which CLAUDE KITCHIN was fashioned. Although just a few years before, Mr. KITCHIN had opposed my reelection to the United States Senate, advocating instead the election of his brother, ex-Governor William W. Kitchin, who was one of the candidates opposing me and who himself had served many years in the House, the late House minority leader (then the majority leader) and I became the closest of friends in our work during the war.

For years before CLAUDE KITCHIN's death, I do not think I had a more devoted or unselfish friend than he. I was proud of his friendship and I shall take joy from the memory of it as long as I live. One of the last letters that I received from him—it was written by his own hand—assured me that if I should have opposition for reelection to the Senate this year for my fifth term, he would, if humanly possible, arise from his sick bed and take the stump for me in the campaign. I fully reciprocated his affection, and the illness that struck him down in the prime of superb manhood and at the height of his power and usefulness brought deep personal grief to me, not only because of my affection for him but because I realized the severe loss that the country suffered in being deprived of CLAUDE KITCHIN's services.

His gallant spirit was undaunted to the day of his death, and he never gave up. His love for his country reached the flood-tide, even as disease laid its hand heavily and more heavily upon his body. He never abated his intense interest in legislation and the government of his country. I have in my files letters from him, written with trembling hand, that show that even as he walked down into the Valley of the Shadow of Death his thoughts and solicitude were only for his country and his family and not at all for himself.

Mr. KITCHIN sprang from a brave and manly race. Both himself and his brother ex-Governor Kitchin were almost perfect specimens of the finest physical, intellectual, and moral manhood. For two hundred years, every drop of their blood had been American blood and North Carolina blood. Their father served in Congress before them. Their mother was a member of the distinguished Arrington family that had also given Representatives in Congress to the State.

CLAUDE KITCHIN's home life was ideal. He was devoted to his wife and children and they were devoted to him. His private life was as pure as that of the purest woman. His life and career can not fail to be an inspiration for all time to the youth of the State that he loved and served so well.

Browning must have had in mind one such as CLAUDE KITCHIN when he wrote:

One who never turned his back, but marched breast forward,
Never doubted clouds would break,
Never dreamed though right were worsted, wrong would triumph,
Held we fall to rise, are baffled to fight better,
Sleep to wake.

On May 31, 1923, in his home district, where he was loved as probably no man had been loved before, the knightly spirit of the great Democratic leader of the House of Representatives passed to the Master. He died as he lived, loving his friends, his family, his country, and his God—and quite unafraid.

I stood beside his grave and saw loving hands commit his body to his native soil, every inch of which he had loved with a holy love, while a vast multitude of North Carolinians stood

by, overcome with sorrow, and dazed with the realization that they would see him and have him for their leader and champion no more.

And now—

The storm of life has softened to a breeze
That gently woos the lilies on his grave;
No more of shipwreck, or of angry seas;
God give him rest—rest for the true and brave.

Mr. OVERMAN. Mr. President, I understood there were to be memorial services for CLAUDE KITCHIN in the Senate. I understand from the statement just made by my colleague that that is not going to be done. I therefore ask a similar privilege to that just rendered to my colleague, and ask the same order.

The PRESIDING OFFICER. Without objection permission is granted to the junior Senator from North Carolina as requested.

Mr. OVERMAN. CLAUDE KITCHIN was indeed a great man. His career was comparatively a short one, but like a star of the first magnitude he gradually rose higher and brighter in the political firmament until he could be seen and admired by all. Unfortunately his brilliant career was cut short before it had reached its zenith and his death caused the entire country to mourn. His fame, deservedly great, was not inclosed by the boundaries of his own State or section, and when the sad news of his death was spread over the country by the press it was given the place of honor in all of the papers of the country and carried in big headlines which told the people of the passing of one of their really great leaders.

Few North Carolinians ever shed more luster and glory upon their native State than did Mr. KITCHIN. It was shortly after he entered the House of Representatives that he impressed his colleagues and his countrymen with his great abilities and common sense and they knew at once that a new leader had come among them. In the last 60 years the House has had some great parliamentary leaders. Sam Randall, of Pennsylvania; Tom Reed, of Maine; James D. Richardson, of Tennessee; Champ Clark, of Missouri; and Joe Cannon, of Illinois, are some of the greatest. CLAUDE KITCHIN was the equal of any of these and in some respects their superior, especially in a running debate. When he drew his keen Damascus blade all with whom he contended went down thoroughly discomfited before his able reasoning, his shining wit, and his biting sarcasm, but because the contest was always pitched by Mr. KITCHIN upon such fair and friendly grounds none of the victims of his power ever went down with the sting which usually accompanies defeat. He was loved and admired both by his friends and opponents. He was recognized as a statesman of sublime courage, which was perhaps his chief characteristic. Other noble qualities which he possessed in a remarkable degree were his ringing sincerity, a strong love of truth and fair play, and an utter hatred of all sham, deceit, and hypocrisy. He was a militant "Son of Truth." Neither his friends nor his enemies could persuade him to depart from what he believed to be right in principle and morals. Once he saw the principle in a contest or question he would fight to the last ditch to establish it, and neither the thrill of winning a specious victory by compromise nor the enhancing of his reputation or popularity could move him from it.

The first time I ever met him was as a member of the platform committee of the State Democratic convention of 1900, both of us having had the honor of serving upon that committee, which was composed of some of the great leaders of the party, such as Gov. Thomas J. Jarvis, Josephus Daniels, Gov. R. A. Doughton, and James A. Lockhart. At that time the party was face to face with a crisis and the future success or failure of the party hung upon its action upon a certain resolution which had been presented to the convention by the leaders of the Populist Party. The resolution proposed that the Democrats fuse with the Populists in the coming campaign, and it was submitted to the platform committee for recommendation. Four years before the Populists had fused with the Republicans and they had carried the State by a very large majority, and consequently the temptation to fuse was great. When the resolution came before the committee Mr. KITCHIN, Mr. Lockhart, and myself fought it bitterly. The vote was very close when Gov. W. W. Kitchin, who was also a member of the committee and the only Democratic Member of Congress from North Carolina at that time, appealed to his brother to support the resolution, saying that W. J. Bryan, the Democratic presidential nominee, had written a letter advising such fusion, and that the failure to adopt the resolution would be a slap in the face of Mr. Bryan and would mean his (the gov-

ernor's) defeat for Congress and the defeat of the party in the coming campaign in the State. But Mr. KITCHIN replied: "You are my brother, to whom I am devoted and whom I would be pleased to serve, but the integrity and success of the Democratic Party is nearer and dearer to me than your election to Congress and I can not go with you on the resolution." Then other outside and powerful influences were brought to bear upon him, but without avail. The resolution was defeated by a majority of one, CLAUDE KITCHIN casting his vote against it. Mr. KITCHIN was then a very young man, just beginning his political career, and I have never seen such sublime and heroic courage as was exhibited by him on that occasion, for when his youth, the time and place, and the influences brought to bear upon him are considered, it will be seen that such a vote could only have been given by a very strong and brave young man. The resolution was defeated by his vote and the result was the election of Charles B. Aycock as governor of the State, the reelection of his brother to Congress and a great Democratic victory, the disruption of his party avoided, and the preservation of its time-honored principles.

At another time in a great crisis was this wonderful courage and independence shown. The war resolution was before Congress, and both parties were almost unanimously in its favor and the public sentiment throughout the entire country and the people of his State and district were in favor of it, yet against the advice and appeals of his friends Mr. KITCHIN almost solitary and alone voted against it. He was honest. He sincerely believed that war between this country and Germany could be avoided; that it was unnecessary, and therefore he voted against it. But when war was declared, with all his energy and ability, he gave Woodrow Wilson and his administration his unbounded and patriotic support, leading his party and the Republicans as well in the support of all of the great war appropriations and all legislative matters recommended by the administration for the carrying on of the war to the end that we might achieve a glorious victory. He loved his country and his people, but never could he be swayed by party or personal considerations from doing that which his conscience told him was right and proper.

He was a great student and was thoroughly prepared whenever he undertook the discussion of a great question so that it was impossible to trap him or throw him off his base in debate. He always invited interruption, and was never so strong and invincible as when on his feet answering interrogatories.

Of high character, of unimpeachable integrity, of sublime courage, a great lover of truth, a splendid statesman, never deserting a friend nor striking an enemy while he was down, few greater men have lived in our day and generation.

Within the circle of his home he was ever blessed with the devotion of a noble wife and with the passionate love of his children, and he was never so happy as when surrounded by his wife and children in his beautiful home. His family worshiped him, his district and his State were proud of him and loved him, and the country at large felt the same pride and gave him the same confidence it always feels and gives a great public servant in whose courage and integrity it has complete confidence.

He was sick a long time, but he bore it all with the same courage and patience exhibited by him during his whole life. Finally weak, tired, and exhausted, he fell asleep. He so lived that when his summons came to join—

The innumerable caravan which moves
To that mysterious realm where each shall take
His chamber in the silent hall of death,
He went, not like the quarry slave at night
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approaching his grave
Like one that draws the drapery of his couch
About him, and lies down to pleasant dreams.

MEAT-PACKING INDUSTRY

Mr. BRUCE and Mr. FRAZIER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from North Dakota [Mr. FRAZIER] I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. FRAZIER. I ask unanimous consent to have printed in the Record a statement from the Farmers' National Council in regard to the effort to modify the setting aside of the

packers' agreement. The statement shows how the packers in the past have controlled the meat products to the injury of both the producers and the consumers.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and it is so ordered.

The statement is as follows:

[Farmers' National Council, Bliss Building, Washington, D. C., Hon. Herbert F. Baker, president; Mrs. George P. Hampton, treasurer; Benjamin C. Marsh, managing director]

WHY THE MEAT PACKERS FIGHT DESPERATELY TO HAVE CONSENT DECREE SET ASIDE

The Federal Trade Commission, in its report to the President on profiteering in 1918, said regarding the meat packers:

"Five meat packers, Armour, Swift, Morris, Wilson, and Cudahy, and their subsidiary and affiliated companies have monopolistic control of the meat industry and are reaching for like domination in other products. Their manipulations of the market embrace every device that is useful to them without regard to law. Their reward, expressed in terms of profit, reveals that four of these concerns have pocketed in 1915, 1916, and 1917, \$140,000,000. However delicate a definition is framed for 'profiteering,' these packers have preyed upon the people unconscionably."

BIG FIVE MEAT PACKERS CONTROLLED FORTUNES OF COMPETITORS

The Federal Trade Commission reported to the President on the meat-packing industry:

"It appears that five great packing concerns of the country—Swift, Armour, Morris, Cudahy, and Wilson—have attained such a dominant position that they control at will the market in which they buy their supplies, the market in which they sell their products, and hold the fortunes of their competitors in their hands.

"Not only is the business of gathering, preparing, and selling meat products in their control but an almost countless number of by-product industries are similarly dominated; and not content with reaching out for mastery as to commodities which substitute for meat and its by-products, they have invaded allied industries and even unrelated ones.

"The combination has not stopped at the most minute integration but has gone on into a stage of conglomeration, so that unrelated heterogeneous enterprises are brought under control."

BIG FIVE MEAT PACKERS CONTROLLED 500 SUBSIDIARY CONCERNS

The commission stated:

"The menace of this concentrated control of the Nation's food is increased by the fact that these five corporations and their five hundred and odd subsidiary, controlled, and affiliated companies are bound together by joint ownership, agreements, understandings, communities of interest, and family relationships.

"The combination among the Big Five is not a casual agreement brought about by indirect and obscure methods, but a definite and positive conspiracy for the purpose of regulating purchases of livestock and controlling the price of meat, the terms of the conspiracy being found in certain documents which are in our possession."

HOW BIG FIVE USES POWER UNFAIRLY AND ILLEGALLY

The commission states:

"The power of the Big Five in the United States has been and is being unfairly and illegally used to—

- "Manipulate livestock markets;
- "Restrict interstate and international supplies of foods;
- "Control the prices of dressed meats and other foods;
- "Defraud both the producers of food and consumers;
- "Crush effective competition;
- "Secure special privileges from railroads, stockyard companies, and municipalities; and
- "Profiteer.

"The packers' profits in 1917 were more than four times as great as in the average year before the European war, although their sales in dollars and cents at even the inflated prices of last year had barely doubled."

THE BIG FIVE MISSED NOTHING FROM HIDES TO CURLED HAIR

The commission's investigation showed:

"Control of the meat industry carries with it not only control of all kinds of fresh and preserved meats, but in addition a very great competitive advantage in more than a hundred products and by-products arising in connection with their preparation and manufacture, ranging in importance from hides and oleomargarine to sandpaper and curled hair. In all these lines the Big Five's percentage of control, as compared with other slaughterers, is greater even than the percentage of animals killed, because of the fact that many of the small packers are not equipped or have been unable to utilize their by-products."

The Big Five were strongly entrenching themselves in the following among hundreds of lines of unrelated business.

1. All possible substitutes for meat, such as "fish, poultry, eggs, milk, butter, cheese, and all kinds of vegetable-oil products, and have secured strategic points of collection, preparation, and distribution of these products."

2. Canned fruits, vegetables, etc.:

"Fruit and vegetable canning and preserving are remote from slaughtering and meat packing, but the big packers, through ownership of refrigerator car lines and their branch house system of distribution, possess special advantages for control of this field of industry. The Big Five's advantage in this field rests not so much on their ownership of canning factories, although in some branches their output amounts to more than a quarter of the total for the United States, as upon their rapidly growing control of the wholesale distribution of canned goods."

3. Staple groceries and vegetables—such as rice, sugar, potatoes, beans, and coffee, and they had "increased their sales at such a great rate that in certain of these lines they have become dominant factors."

4. Fertilizers, hides, leather, and wool: "The Big Five not only handle more than three-fourths of the hides and skins produced by interstate slaughterers but directly or through their subsidiaries, or through leases or contracts, tan a large part of the leather produced in the United States," the Trade Commission showed.

INSTRUMENTS OF CONTROL AND MONOPOLY

"These strategic positions, which serve not only to protect the controls which the big packers have already acquired but to insure their easy conquest of new fields are:

"Stockyards, with their collateral institutions, such as terminal roads, cattle-loan banks, and market papers.

"Private refrigerator-car lines for the transportation of all kinds of perishable foods.

"Cold-storage plants for the preservation of perishable foods.

"Branch-house system of wholesale distribution.

"Banks and real estate."

BIG FIVE PLAN TO CONTROL NATION'S FOOD SUPPLY SOON

"Last year (1917) the Big Five's combined sales totaled \$2,127,245,000. At the present rate of expansion, within a few years the big packers would control the wholesale distribution of the Nation's food supply."

BIG FIVE GET EASY CREDIT THROUGH CONTROL OF BANKS

The Big Five meat packers were represented, the Federal Trade Commission reported, "on the board of directors through members of the individual families or through officers, directors, or confidential employees of the packing companies" in three banks in each of the cities: Boston; Kansas City, Mo.; Wichita, Kans.; and Omaha; 9 in New York; 25 in Chicago; 5 in St. Joseph, Mo.; 2 in each of the cities of South St. Paul and San Francisco; and 1 in Portland, Ore.; Denver, Colo.; Fort Worth, Tex.; Oklahoma City; Sioux City, Iowa; and East St. Louis, Ill. All of these are important packing centers.

BIG FIVE WANT TO CUT MELLONS IN EVERY FIELD

In 1921 the gross income of corporations manufacturing food products, liquor, and tobacco was \$8,269,546,864, of those manufacturing leather products \$1,417,997,579—a total of nearly \$10,000,000,000.

The packers' consent decree entered by the court in 1920 by agreement between the then Attorney General, A. Mitchell Palmer, and the meat packers, was largely due to the fear of the "Big Five" meat packers that Congress would enact legislation definitely keeping them out of these unrelated lines of business.

They had good reason to fear this. On May 26, 1903, the Supreme Court of the United States issued a permanent injunction against the big packers, ordering them to refrain from specified practices which were in violation of the antitrust law.

The Federal Trade Commission in its report on the meat-packing industry stated:

"But how little the big packers respected the courts of the Nation and feared its law is revealed by the fact, which has since come to light, that almost coincident with the application for an injunction the three largest—Armour, Swift, and Morris—secretly set to work to buy up many of their actual and potential competitors, with the object of forming a gigantic merger, monopolizing almost completely the entire meat industry."

BIG FIVE MEAT PACKERS FEARED INDICTMENTS

The Federal Trade Commission gives details of the meat packers' conspiracy and violation of the injunction and laws of the Nation.

The injunction forbade the meat packers to refrain from bidding against each other in the purchase of livestock or at the sale of livestock, or "by combination, conspiracy, or contract raising or lowering prices," but the meat packers violated nearly every provision of this injunction, so that in 1916 the representatives of several of these meat packers—R. C. McMannus, J. M. Chaplin, and R. D. White—wrote to their employers:

"If we are to avoid indictments, we must immediately decide upon such steps as will first bring better feeling, by showing a disposition to cooperate."

Another committee of packers' employees stated that year:

"As matters now stand criminal prosecutions are sure to follow."

In 1916 the Federal Trade Commission made its marvelous report on the entire meat-packing industry, the most complete exposé of big business methods and manipulations ever made by a government agency. The Nation was shocked by the revelations as it has been shocked by the current revelations about Teapot Dome, the Veterans' Bureau, the Shipping Board scandals, and the Department of Justice.

* * * * *

HOW THE BIG FIVE WROTE THE LAW TO CONTROL THEM, AND CONTROLLED THEIR "CONTROLLER"

The Big Five meat packers next proceeded to control the Senate and the House of Representatives of the United States in the writing of the so-called "packers and stockyards act of 1921," keeping all teeth out of it.

They defeated the effort of the progressive forces of the Nation to have the administration of the packers and stockyards act vested in the Federal Trade Commission, and put it under the Secretary of Agriculture, Mr. Wallace.

They next forced or persuaded Secretary Wallace to appoint two of their tools, Mr. Chester Morrill and Mr. Charles J. Brand, to enforce the act, and so they have controlled their controllers. They then "persuaded" Secretary Wallace not to compel them to install a uniform system of accounts; for that would have revealed their manipulations and profits. They pulled the wool over Secretary Wallace's eyes, till Armour and Morris were merged.

Over two years ago they made a big effort to have the consent decree set aside. They failed. The present is their second effort to get back into the trough with both feet.

The American people must not permit a nation-wide food trust.

BIG FIVE WIN POINT IN COURT DECISION

The decision of the Court of Appeals of the District of Columbia that the California Cooperative Canneries may intervene in action to set aside or modify the packers' consent decree appears to be a significant point in favor of the meat packers who projected the consent decree to prevent legislation to stop their monopolization of food distribution. The court asserts that a lower court would not be sustained in declaring the packers' combination illegal "if its effect is to safeguard one public interest by the destruction of another."

The circuit court of appeals recommends that the District of Columbia Supreme Court investigate whether the effect of the packers' consent decree has been to encourage a monopoly by the wholesale grocers. This is an implied criticism of the lower court for entering the packers' consent decree of former Attorney General Palmer for agreeing to the consent decree and of present Attorney General Stone for not proceeding against the wholesale grocers with sufficient vigor or at least investigating whether they are creating or threaten a monopoly.

The decision does not set the consent decree aside nor modify it; it does indicate a question in the mind of the court whether such action would not be wise. This decision makes clear, however, the imperative need of legislation to keep the meat packers out of unrelated lines of business, which will be sought in the next Congress. The possibility of a monopoly does not justify court protection of an established and growing monopoly, which the Federal Trade Commission's report on the meat-packing industry showed the Big Five packers to be even before the Armour-Morris merger. Definite congressional action, not the decision of a court, is the proper and orderly way to determine questions of such scope and importance.

ATTORNEY GENERAL SOUGHT TO END PACKERS' MONOPOLIES

In the Attorney General's petition for the entry of the packers' consent decree filed in the Supreme Court of the District of Columbia February 27, 1920, he stated:

"This petition is filed and these proceedings are instituted to put an end to any and all monopolies which the defendants may have created or obtained in the interstate trade or commerce of livestock, meat products, and substitute foods and to prevent the continuance of unlawful monopolies by the defendants, in the aforesaid trade or commerce in the products and commodities so described and to deprive said defendants of certain instrumentalities, facilities, and advantages by which they have been enabled theretofore to more effectively perfect their attempts to monopolize; to compel the defendants to desist from dealing in certain of the substitute foods and certain of the unrelated commodities; to limit in the manner hereinafter set forth the interests which the individual defendants may have in corporations handling certain substitute foods and unrelated commodities; and to dissolve any and all contracts, combinations, and conspiracies in restraint of trade or commerce between the several States, which contracts,

combinations, or conspiracies are more fully hereinafter described, and to prevent said defendants from maintaining said contracts, combinations, or conspiracies with each other, or from entering into further contracts, combinations, or conspiracies with each other or with other persons."

BIG FIVE MEAT PACKERS HAD MACHINERY COVERING THE NATION

Discussing the machinery the Big Five meat packers had established to enable them to continue and expand their monopolization of food distribution throughout the United States, the Attorney General stated in this petition:

"The parent companies operated as of June, 1918, 1,297 route cars, which constituted 90 per cent of the total number operated in the packing industry. Said route cars reach and serve dealers in 37,176 towns and operate in 37 of the States of the United States.

"Autotrucks: This is a further development of the route-car plan. It had its origin in the development of the motor truck, and because of its freedom from railway limitations and schedules it is enabled to reach a wider radius and smaller towns than is the route car. The autotrucks have been adopted primarily by Armour & Co. as a supplement to the car routes. These autotrucks reach and serve a total of 20,836 towns throughout the United States."

CONTROL OF SUBSTITUTE FOODS

The Attorney General stated that (in default of adequate legislation) a decree of the court was necessary to prevent control of the Nation's food by the meat packers. He said:

"Having eliminated competition in the meat products, the defendants (the Big Five meat packers) next took cognizance of the competition which might be expected from what we here refer to as substitute foods," and stated:

"These attempts to monopolize have resulted in complete control in many of the substitute food lines. They have made substantial headway in others. The control is extensively and rapidly increasing. New fields are gradually being invaded, and unless prevented by a decree of this court the defendants will within the compass of a few years control the quantity and price of each article of food found on the American table."

BIG FIVE CONTROLLED NEARLY SIX HUNDRED CORPORATIONS

The Attorney General stated:

"The parent companies of the individual defendants (the Big Five) and their families maintain and control 574 corporations or concerns, including 131 trade names. They have a significant minority stock interest in 95 others and an interest of unknown extent in an additional 93. Thus the total number of concerns in which they have control or interest is some 762. In the years that are past the parent companies have acquired or organized many other concerns and have maintained them so long as they were useful for their purposes. When no longer useful these concerns so acquired or organized have been dissolved and their businesses have been merged into that of the parent companies or that of other subsidiaries. Such dissolved corporations and concerns are omitted in the above compilation except in those instances where their names have been continued as trade names. The total of 762, above stated, therefore, falls far short of representing the total number of concerns that corporate and individual defendants have acquired or have organized in furtherance of the general scheme and plan of action already explained."

CALIFORNIA COOPERATIVE CANNERIES DUMMY FOR ARMOUR & CO.

The fact that the California Cooperative Canneries is a dummy for or influenced by Armour & Co. is shown by the admission of Mr. Vernon Campbell, its vice president and general manager, before the Interdepartmental Committee, representing the Attorney General, and the Departments of Agriculture and Commerce, which held hearings in 1922 on Mr. Campbell's application for a modification of the packers' consent decree to permit Armour & Co. to continue the distribution of the canneries' fruit pack. Mr. Campbell admitted that Armour & Co. loaned his company \$200,000, which was used to construct their first packing plant at San Jose, Calif., upon which Armour & Co. held the mortgage at that time. He further admitted that Mr. Armour had given him Mr. Armour's authority to offer Mr. Armour's indorsement for the notes of the California Cooperative Canneries, and that both Mr. Armour and Mr. Wilson (of Wilson & Co.) had told him "that they would not resist modification of the decree."

MR. CAMPBELL FOUND SUBSTITUTE DISTRIBUTOR

Mr. Campbell testified to this committee that in 1921—a full year after the consent decree went into effect—they had sold a larger per cent of their pack at that time than they had sold the preceding year at the same time, although claiming a smaller pack.

It was provided in Mr. Campbell's contract with Armour & Co. that the prices to be paid the canneries for its product should be the same as those fixed by the California Packing Co., and that such

products were resold by Armour & Co. at the usual market prices. If any saving was effected by Armour & Co. in such distribution, that saving was kept by Armour & Co. itself as additional profits and did not benefit the consumer.

STEPS THE BIG FIVE PACKERS HAVE FOLLOWED TO CREATE MONOPOLY

The Big Five meat packers—

1. Agreed to the packers' consent decree to prevent legislation being urged before Congress to keep them out of unrelated lines of business. Mr. Campbell said regarding the decree: "When I talked to Mr. White, vice president (now president) of Armour & Co., I asked him why they had signed such a foolish arrangement, and he said they were holding a gun at his head and he had to do something."
2. Killed any real and adequate packer-control legislation.
3. Secured control of the enforcement of the packers and stockyards act, and have made it largely a nullity, as producers know from prices they get and consumers from prices they pay.
4. Have succeeded in getting a dummy to be allowed to intervene to break down the packers' consent decree, while they can seem to be satisfied with it.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

AMENDMENT OF THE CONSTITUTION

Mr. BRUCE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maryland?

Mr. SPENCER. I ask unanimous consent that when I shall have yielded to the Senator from Maryland I may be allowed to resume my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and under the unanimous-consent agreement the Senator from Maryland is recognized.

Mr. BRUCE. I ask permission to have inserted in the RECORD an essay urging conventions in the matter of constitutional amendments, by Mr. George Stewart Brown.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Baltimore Sun of May 22, 1924]

URGES CONVENTIONS FOR ALL AMENDMENTS—RECENT ACTS OF RATIFYING LEGISLATURES CITED TO SHOW NEED OF PEOPLE BEING CONSULTED ON CONSTITUTIONAL CHANGES

(By George Stewart Brown)

NEW YORK, May 21.—The people who have to live under constitutional changes have a right to be consulted in making those changes. If radical constitutional changes, however desirable they may seem to their advocates, are made without consulting the people, that is not only unfair and unjust to the people, but it is bound to result in irritation, confusion, and disrespect for our institutions.

John Marshall said in one of his most famous decisions:

"The people made the Constitution, and the people can unmake it. It is the creature of their will. But this supreme and irresistible power to make or unmake resides only in the whole body of the people; not in any subdivision of them. The attempt of any of the parts to exercise it is usurpation and ought to be repelled by those to whom the people have delegated the power of repelling it."

After the experience of ratifications by legislatures in the case of the last two amendments no one can honestly claim that "legislatures" can be trusted to accurately record the will of the people of their States in ratifying Federal amendments.

A few glaring illustrations should be sufficient to demonstrate this to the most obtuse.

In Missouri and California the legislatures which voted to ratify the eighteenth amendment were elected at the same time that a popular referendum was had in those States on State prohibition. In both the people voted down prohibition by large majorities. Yet in the teeth of that popular decision the Missouri and California Legislatures ratified. No man can honestly claim that those legislatures had the moral right to thus falsely record the assent of the people of California and Missouri to the eighteenth amendment.

In our own State of Maryland we are all familiar with the fact that our legislature which voted to ratify was a hold-over legislature, elected before the amendment was proposed by Congress, upon entirely different issues, with absolutely no mention of national prohibition in the campaign. It is as plain as a pikestaff that our Maryland Legislature had no popular mandate and therefore no moral right to record the assent of the people of Maryland to the eighteenth amendment.

In Ohio the people of that State on referendum, by a close vote in one of the largest popular votes ever held in the State of Ohio, repudiated their own legislature's ratification of the eighteenth amendment itself. At the same time by a large majority they adhered to local

prohibition. This showed that the people of Ohio had the sense to discriminate between local prohibition, remaining under their own control, and embodying a police law in practically irrepealable form into our charter of liberty known as the Federal Constitution.

This last illustration shows conclusively that ratifying legislatures in so-called dry States—and they were legion—had no right to assume that because their people had "local prohibition" they would necessarily approve degrading the Federal Constitution by inserting an irrepealable police law therein.

Those illustrations should be enough to convince any reasonable man that it is an outrage to submit Federal amendments to legislatures instead of to the people who must live under them.

The behavior of legislatures in voting upon the nineteenth amendment was even worse. There, out of the 38 legislatures counted as ratifying, one (Vermont) was elected by the vote of the women after the amendment had been actually proclaimed; 34 were elected before the amendment was proposed by Congress; 30 of these having been called into special session and some of them racing with each other to see which could ratify first. This was truly an appalling spectacle. Of the remaining 10, 9, which were mostly elected after proposal, and had a right, therefore, to claim a popular mandate, rejected the amendment, and one (Florida) respected the provision of its State constitution forbidding it to ratify because elected before proposal of the amendment.

Moreover, 13 of the 38 ratifying legislatures ignored previous negative referenda in their own States against State suffrage.

If in the light of these facts any Senator or Congressman insists upon referring this new grant of Federal legislative power to mere legislatures, he seems to be willing to get power, no matter how, and whether the people want him to have it or not.

Reference to "conventions," on the contrary, is, in effect, a popular referendum. There is no such thing as a "hold-over" convention. They must all be chosen after proposal and therefore enjoy a popular mandate for their acts.

Their members must be elected upon the direct issue, free and unconfused with all other issues. In each district a candidate will run pledged "for ratification" against a candidate pledged "against ratification," thus giving a direct popular vote.

After such conventions meet they will have nothing else to do except this particular duty for which they are especially chosen. They will therefore have full and complete opportunity to debate the proposal in all its ramifications and complications, for every grant of power covers implied powers not expressed in the amendment itself. There can be no stampede.

If after the above-recited performance of legislatures in recent ratifications Congress closes its eyes and blindly refers to them this new grant of Federal power, which invades the heart of American "local self-government" and practically destroys the very basis of American constitutional liberty, it will commit a grave wrong upon the American people. And if we sit supinely by and let them do it without protesting, we close our mouths for any further protest against the way the eighteenth amendment was put over us without our consent.

In other words, we will sanction and approve what has been previously done and deliberately invite its repetition.

Moreover, there will be little left to protest about in the future, for with express Federal power over child labor enabling statesmen from Utah and Texas to prescribe the rules for family life in Maryland and New York, and with similar power necessarily implied therefrom over child education, and Heaven knows what else, to enforce the labor mandate, no self-government worthy of the name, free from Federal interference, will remain to the people of the several States.

Of course, if our desire for self-government and individual liberty is limited to "booze," then we have already become a Nation of political illiterates and are past saving, and hardly deserve any protection from tyranny, even tyranny over our dining tables, and we might as well resign ourselves entirely to the tender care of the new ecclesiastical politicians who, from their pulpits, direct the ways of Congress.

Unless the Senate of the United States has lost its poise—and no matter how desirable it considers the child labor amendment may be—it will insist that the people be consulted in its ratification.

We are not petitioning our Federal agents in Congress for favors at their hands; nor are we discussing a question of policy. We are demanding that they obey and observe the most elementary principle of American liberty, familiar to every schoolboy who has read the Declaration of Independence, that governments derive their just powers only from the consent of the governed.

ORDER OF BUSINESS

The PRESIDING OFFICER. The Senator from Missouri is recognized again.

Mr. HARRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. SPENCER. I ask unanimous consent that when I have yielded to the Senator from Georgia I may be allowed to resume.

The PRESIDING OFFICER. Is there objection? If not—
Mr. HALE. Mr. President, I object. There is a very important motion that has been made this morning to take up the motion to reconsider House bill 8687. I understood that at the close of morning business that matter was to be brought before the Senate. I shall object to any further unanimous-consent agreement of this nature.

The PRESIDING OFFICER. Objection is made and the Senator from Missouri will proceed.

Mr. HARRIS. Mr. President, I thought the Chair had recognized me.

The PRESIDING OFFICER. The Chair merely presented the request of the Senator from Georgia for recognition, and the Senator from Missouri asked unanimous consent that he might be permitted to yield. The Chair in his haste had about completed the formula, but the Senator from Maine was on his feet making his objection known, and therefore the Senator from Missouri can not, of course, yield to the Senator from Georgia.

The Chair will say further that the motion of the Senator from Montana [Mr. WALSH] stands in the same position as a resolution coming over from the previous day, and there being, strictly speaking, no unfinished business before the Senate, the Senator's motion is in order.

Mr. HALE. Mr. President, I move that the Senate take up for consideration the motion made by the Senator from Utah [Mr. KING] to reconsider the action by which House bill 8687 was passed.

Mr. WALSH of Montana. Mr. President, who has the floor?
The PRESIDING OFFICER. The Senator from Missouri [Mr. SPENCER] has the floor.

Mr. WALSH of Montana. Then I make the point of order that the Senator from Maine has no right to address the Chair.
The PRESIDING OFFICER. The point of order is well taken.

Mr. HALE. Mr. President, will the Senator from Missouri yield to me?

Mr. SPENCER. Mr. President, I did not catch the statement of the Chair with regard to the parliamentary situation. Will the Chair be good enough to repeat what he said?

The PRESIDING OFFICER. The motion entered by the Senator from Montana on yesterday in the opinion of the Chair stands before the Senate in the same position as a resolution coming over from a previous day and was reached in its regular order prior to 2 o'clock. There being strictly speaking no unfinished business before the Senate, the Senate continued discussion of that motion in the nature of a resolution coming over from a previous day, and upon that question the Senator from Missouri [Mr. SPENCER] has maintained his right to the floor. The Senator from Maine, as the Chair understands, wishes the Senator from Missouri to yield.

Mr. SPENCER. I call the attention of the Chair to Rule IX as to whether or not the motion of the Senator from Montana to proceed to the consideration of his report is in order after 2 o'clock.

The PRESIDING OFFICER. Of course it is in order after 2 o'clock, in the opinion of the Chair, because there was no unfinished business, and the motion is in the nature of a resolution coming over from the previous day.

LEASES UPON NAVAL OIL RESERVES

The Senate resumed the consideration of the motion of Mr. WALSH of Montana to adopt the report of the Committee on Public Lands and Surveys submitted pursuant to Senate Resolution 147.

Mr. SPENCER. I call the attention of the Chair to the suggestion that under Rule IX, after 2 o'clock there is a regular procedure on the calendar itself, a general order, and that therefore the motion of the Senator from Montana is out of order if a point of order is raised. It falls at 2 o'clock, because after 2 o'clock there is a special order.

The PRESIDING OFFICER. Does the Senator refer to the calendar under Rule VIII?

Mr. SPENCER. No. I refer to Rule IX, which provides: and not later than 2 o'clock, if there shall be no special orders for that time, the calendar of general orders—

Which is the general calendar—

shall be taken up and proceeded with in its order, beginning with the first subject on the calendar next after the last subject disposed of in proceeding with the calendar; and in such a case—

There are certain motions which may be made, and only those motions. In neither one of those classes does the motion of the Senator from Montana come.

Mr. WALSH of Montana. Mr. President, this is an extraordinary situation. The Senate did proceed to the consideration of the motion; the Senator from Missouri claimed the floor to debate the motion, and now makes a point of order that the motion is not properly before the Senate.

Mr. SPENCER. I did so because I did not want to debate the motion.

Mr. WALSH of Montana. Rule IX is as follows:

Immediately after the consideration of cases not objected to upon the calendar is completed—

We have not yet reached that, and therefore Rule IX can not possibly apply. That applies to what should happen after consideration of cases not objected to upon the calendar, and we have not yet reached that point—

and not later than 2 o'clock, if there shall be no special orders for that time, the calendar of general orders shall be taken up.

We may reach that in due course, but it is not before us now.
Mr. PITTMAN. Mr. President, prior to 2 o'clock, at the time this procedure of the Senator from Missouri started, he yielding the floor to various Senators. I made a parliamentary inquiry and asked that the unanimous-consent request should include the statement that any interruption would not interfere with the business before the Senate. This matter was pending as the business before the Senate before 2 o'clock, and by unanimous consent was to continue as such, notwithstanding the interruptions of the Senator from Missouri.

The PRESIDING OFFICER. Even in view of reference to Rule IX, the Chair is of the opinion that the motion of the Senator from Montana is properly before the Senate. The Senator from Missouri is recognized, and is holding the floor to speak upon it.

Mr. SPENCER. Mr. President, again I wish to say to the Senator from Montana that now and at any time while I am speaking, if the judgment of the Senator from Montana leads him to defer this motion, which calls for no immediate action, I shall cooperate with him, for it is a duty and not at all a pleasure which I feel is imposed upon me at this time.

Mr. WALSH of Montana. Mr. President—
The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. SPENCER. I yield.

Mr. WALSH of Montana. I am very glad to advise the Senator from Missouri that the Senator from Montana does not even entertain the idea of postponement.

Mr. SPENCER. Knowing the Senator from Montana as I do, I am afraid that that is true.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Missouri yield to me for a question?

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I will yield for a question.

Mr. WALSH of Massachusetts. Do I understand that the colloquy between the Senator from Montana and the Senator from Missouri means that the Senator from Missouri is likely to hold the floor until 7 o'clock this evening?

Mr. SPENCER. I shall finish as soon as I can, but I intend to discuss the matter at some length.

Mr. WALSH of Massachusetts. I judge from the Senator's statement that he does not intend to have a vote on this motion to-day.

Mr. SPENCER. I have no desire to prevent consideration of the motion; I shall not speak merely to prolong the consideration of the motion of the Senator from Montana; but in the presentation of the reasons why I do not think it ought to be agreed to there will be some time consumed by me.

Mr. WALSH of Massachusetts. And that may be until 7 o'clock this evening?

Mr. SPENCER. I should think not; I can not conceive of it being so long as that.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. SPENCER. Mr. President, the report which is now before the Senate has been somewhat changed from the report that was originally presented to the Senate on June 4. Some of the corrections which I indicated when the report was first presented to the committee have been made in this report. I did not have the opportunity to present other mistakes and misstatements which a casual reading of the report evidenced, and many of them are still in the present report.

Mr. President, on page 3 of the report as presented by the Senator from Montana it is stated definitely and without qualification:

It was not intended at any time that the store of oil thus assured should be drawn upon for current use or for use at any time when the requirements of the Navy could be met by purchases in the open market.

That statement is not in accordance with the fact or the record of the testimony.

George Otis Smith stated that the withdrawals were made "for the present and future needs of the Navy."

One of the very issues in connection with the whole question of naval oil leases is as to whether or not the oil ought to remain in the ground or to be taken out of the ground and stored for use somewhere aboveground. The statement which I have just quoted which was made in the report that "it was not intended at any time that the store of oil thus assured should be drawn upon for current use," is not, as I have said, borne out by the record in the case.

I have quoted what George Otis Smith stated, that the withdrawals were made "for the present and future needs of the Navy."

More than this, a few years before 1920—in 1917—the Senator from Virginia [Mr. SWANSON] introduced a bill, referred to by Mr. Finney in his testimony of record before us, which proposed to authorize the Navy to drill the reserves or to have them drilled and to utilize the oil. That bill did not become a law, but it indicated the general trend of opinion at that time that the oil in the naval oil reserves should be utilized as the needs of the Navy might require.

From 1909 to 1920 the policy on the non-Navy oil lands might be characterized as no policy at all or even an attempt to define any definite policy, and the policy as to the naval oil reserves was precisely the same. The Walsh-Pittman bill, which was enacted as the general leasing act of February 25, 1920, gave no benefit to the Navy whatever. This fact ought not to be forgotten that under that general leasing act the Navy received nothing. The proceeds of the oil from the ground were divided, 10 per cent to the Government, a part to the States, and a part to the Reclamation Service, but the Navy secured no part of it. Secretary Daniels had a different policy and secured the passage of the act of June 4, 1920, with all the extensive powers which that bill gave to him as Secretary of the Navy, to which I may refer later on. The point we are now considering is as to whether the policy of Secretary Daniels when the bill of June 4, 1920, was introduced and passed was to keep the oil in the ground and not use it for the Navy or whether it was to utilize it. Commander Stuart, on page 783 of the record in the case, made a statement and then continued:

The reason that I say that is that the letter—

Referring to the letter from Secretary Daniels, which transmitted a draft of the act of June 4, 1920—states that we wanted the oil for current use.

So that there was, at least, a difference of opinion, if not a well-defined purpose under the law of June 4, 1920, to secure that oil from the ground and, if necessary, to use it for immediate needs.

Secretary Daniels was opposed to drilling, even to protect the naval reserves from drainage, a policy which has cost the Government millions of barrels of oil. He wanted that oil conserved in the ground, and, as I shall show, or attempt to show, in a few moments, the oil in the ground did not help the Navy much. The oil stored on the surface for future use was of tremendous aid to the Navy. If a foreign nation should attack us, either upon the Pacific or the Atlantic coast, before we could get out the oil stored in the ground its usefulness in that attack would be nil. It takes two or three years to get the oil out of the ground.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Page, its Clerk, announced that the House had passed the joint resolution (H. J. Res. 259) establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Lexington and Concord, authorizing an appropriation to be utilized in connection with such observance, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending

June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 259) establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Lexington and Concord, authorizing an appropriation to be utilized in connection with such observance, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ADDITIONAL CLERK FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BALL. Mr. President—

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Missouri yield to the Senator from Delaware?

Mr. SPENCER. I ask unanimous consent that when I have yielded to the Senator from Delaware I may be allowed to resume.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Delaware.

Mr. BALL. I ask unanimous consent for the immediate consideration of Senate Resolution 244.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent for the consideration of Senate Resolution 244, which will be read for the information of the Senate.

Mr. ASHURST. Let it be read in full.

The Secretary read the resolution (S. Res. 244), which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate on June 7 instant, as follows:

Resolved, That Senate Resolution No. 13, agreed to December 19, 1923, authorizing the Committee on the District of Columbia to employ an assistant clerk, be, and hereby is, continued in full force and effect until the end of the Sixty-eighth Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

POSTMASTERS AND POSTAL EMPLOYEES—VETO MESSAGE

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I yield for a question.

Mr. WALSH of Massachusetts. I rise to make a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. WALSH of Massachusetts. A short time ago there was presented to the Senate a message from the President vetoing the salary bill for the postal employees. I understand that immediate action was not taken because no entry of the message has been made in the Journal of the Senate as required by the Constitution. I rise to ask the Chair when an entry will be made in the Journal of the President's veto message? How long does it take to make an entry in the Journal?

The PRESIDING OFFICER. The Chair understands that the Journal clerks are now entering in full the objections of the President to the bill, and that the Chair will be informed when that work of transcription has been completed.

Mr. WALSH of Massachusetts. My information is that the Chair has given no order to the clerks to enter upon the Journal the message, and I rise to ask if it is necessary for the Chair to issue such an order.

The PRESIDING OFFICER. The present occupant of the chair was not in the chair at the time the point of order was raised and decided; but the Chair is of the opinion that no special order need be given by the Presiding Officer to a clerk of the Senate to perform his duties.

Mr. WALSH of Massachusetts. So the situation is that when the clerks enter the message the Chair will be so informed, and the Senate will be informed by the Chair?

The PRESIDING OFFICER. That is the Chair's understanding of the situation.

Mr. WALSH of Massachusetts. I thank the Chair. I shall renew my request for action on the veto at the earliest possible moment.

Mr. ASHURST. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The Senator from Arizona will state his point of order.

Mr. ASHURST. I do not wish it to be established without dissent as a precedent or a part of the practice of the Sen-

ate that before the Senate may consider a veto message the objections of the President must first be entered upon the Journal. I do not so construe the Constitution, and I express my dissent to such precedent being established.

The PRESIDING OFFICER. The point of order was made by the minority leader, the senior Senator from Arkansas [Mr. ROBINSON], and was sustained by the President pro tempore. Far be it from the present occupant of the chair so soon to override the decision of the President pro tempore.

Mr. ASHURST. It is not my view of the Constitution that before the Senate may consider a veto message the objections must be entered at large on the Journal. In other words, the Senate of the United States is not the agent of its clerk. Ninety-six Senators are not required to wait upon the tedious processes of a clerk. It would be absurd to say that the Senate would be powerless to act upon a message from the President of the United States unless and until a clerk had made certain black marks on certain white paper.

Mr. WALSH of Massachusetts. I should like to ask the Senator if he understood the minority leader to raise a point of order against immediate action?

Mr. ASHURST. I have great respect for the minority leader. Indeed, I digress to say that he has led his party with a sagacity and an ability unsurpassed in the past 50 years of the Senate's history. I did not know he had made that observation; but since I am informed that he made the observation, I nevertheless adhere to my view of the Constitution.

Mr. WALSH of Massachusetts. If he made an objection, it was in his individual capacity, of course; and not for the purpose of delaying action.

Mr. ASHURST. Whilst I am speaking of the Constitution, I shall emulate the manly example of the Senator from Virginia [Mr. GLASS] this morning, who corrected an error that he made. I was in error when I said that the Constitution required a bill to be read three times. The constitutions of the States require such readings, and our Senate rules require such readings; not the Constitution of the United States.

Mr. BROUSSARD. Mr. President, will the Senator yield to me?

Mr. ASHURST. The Senator from Missouri [Mr. SPENCER] has the floor.

The PRESIDING OFFICER. No; the Senator from Arizona has the floor, because he was raising a point of order.

Mr. ASHURST. I thought the Senator from Missouri had the floor. I yield, however.

Mr. BROUSSARD. I should simply like to suggest to the Senator from Arizona that my understanding of the transaction was not exactly correctly stated by the Chair.

The PRESIDING OFFICER. The Chair undertook to state only his own understanding of the transaction, and not that of the Senator from Louisiana.

Mr. BROUSSARD. The minority leader simply stated that he demanded the regular order, and upon that we proceeded to the regular order without involving the question of the inscription on the Journal of this document.

The PRESIDING OFFICER. The point of order raised by the Senator from Arizona apparently presents no question upon which the present occupant of the chair would be called upon to rule, and therefore the Senator from Missouri will resume his remarks.

LEASES UPON NAVAL OIL RESERVES

The Senate resumed the consideration of the motion of Mr. WALSH of Montana to adopt the report of the Committee on Public Lands and Surveys submitted pursuant to Senate Resolution 147.

Mr. SPENCER. Mr. President, the first statement in this report to which I have called attention—namely, that "it was not intended at any time that the store of oil thus assured should be drawn upon for current use"—is demonstrated to be a mistaken statement. I think it is fair to say that under the administration of Secretary Daniels he wanted to preserve as much oil as possible in the ground and only yielded to the taking of any oil out of the ground when he felt that it was necessary to protect the oil against loss by drainage; but the oil which he did take out of the ground, if Commander Stuart was right in his quotation from the letter of Secretary Daniels, was to be for current use.

It ought to be stated here, because it is in connection with the first point to which I have called the Senate's attention, that the policy of the present administration has been not to use any oil for present needs but to store it at strategic points, to be kept for future use when an emergency requires its use.

I may refer to this matter a little later on, but I pause here to emphasize again the fact that oil in the ground has no

emergency utility; that it is impossible to get oil out of the ground in time to meet any emergency need for oil. If the battleships of the United States—most of which are now oil burning; and all, under the policy of this Government, are to be made oil burning—if those warships, either upon the Atlantic or upon the Pacific, find themselves at any moment in need of an immediate quantity of oil, the fact that we may have millions of barrels of oil stored in the ground would not be of the least avail; and therefore the present administration, in the leases to which I shall of necessity refer in a little while, provided that the oil should be taken out of the ground. It was necessary to do this, for drainage otherwise would have taken the oil away from the naval reserves and put it into the hands of the adjoining property owners.

Mr. President, it is interesting to note that recently the President has appointed an oil commission, composed of a naval officer, the Director of the United States Geological Survey, and a petroleum engineer, to report among other things on a program and policy for oil for the Navy. I do not more fully comment upon that, for, as my recollection goes, that was not referred to in our testimony; but it is a significant fact in connection with the quotation which I have just made.

Why did the Navy lease the reserves?

At the time that the leases on the naval reserves were granted, the Government of the United States and the Navy in particular had already suffered many million dollars loss, due to the drainage of oil from naval lands by neighboring wells. It was abundantly established in the testimony that where, for example, a certain territory owned by the Government and set aside for naval purposes was highly productive of oil, if those who had the right to drill wells around the edge or near to the edge of that naval reserve did so, the result was that the oil in the naval reserve was drained out, and flowed into the adjoining, the neighboring, the adjacent wells, and was lost to the Navy, and the value of that oil enriched those who operated the adjoining property and neither the Navy nor the United States profited as they should; and the Government has lost millions of dollars due to the drainage of oil from the naval lands by neighboring wells.

Up to the passage of what I speak of as the Daniels Act of June 4, 1920—I call it that because it came to the Congress with his approval, and, I think, was formulated by him—which directed the Secretary of the Navy to take possession of the lands subject to the Navy's authority, and granted him authority to lease them in any way he thought best, and to conserve and store and exchange the oil. Congress had provided no means whatever of protecting those properties from such drainage. The first attempt to use this power was the natural one of giving small leases to particular tracts immediately subject to drainage. While wide discretion was given the Secretary, and there is nothing in the act which requires advertising—a point that may come up for consideration later—or granting of leases on competitive bids; while there was nothing in the act that had to do with the leasing of these lands that require either of these things to be done—in fact, certain clauses of the general leasing act of February 25, 1920, passed by the same Congress that passed the Daniels Act on June 4, 1920, seemed to indicate that Congress deliberately removed such requirements when the oil was to be taken for Government use—still, probably from habit rather than from much thought, formal proposals were drawn up early in 1921, advertised in April, and a lease was granted in June.

The long delay in permitting unrestrained drainage by the Standard Oil Co. so cut down the value of the ground—and I call the attention of the Senate to this in passing—that companies which in April offered royalties of 46 and 48 per cent, in June withdrew their bids.

The successful bidder in June lost heavily on the lease, and therefore the Government was never able to get bids nearly so high for any land offered in that vicinity.

Promptness in action is of the first importance in getting down offset wells, and experience shows that if the Government was never to drill any but offset wells and then only after advertising for competitive bidding, in connection therewith it would never receive its due share of what is called the "flush," or the first production, which is the largest and the cheapest part of the oil which a well yields.

"Thrice armed is he whose cause is just," but four times he who gets his well down "fust."

Accordingly, one of the things designed to be accomplished, and which in fact has been accomplished by leasing reserves Nos. 1 and 3 as units, No. 1 in California, and No. 3 in Wyoming, is that the Navy is in a position to put drills into the field overnight if need be at any point where danger is threatened, and with lessees who have established reputa-

tions for unusual skill and promptness. The Navy can then be assured of getting oil from any part of its reserves as quickly as its neighbors can, if not more quickly.

The heavy handicap of Government red tape is effectually overcome in this particular, and that means in the long run many more barrels of oil than could result from any policy of delayed leasing strip by strip.

I venture those observations, Mr. President, at this time, in order to show that there are two sides upon the question of competitive bidding. My own judgment, as I am now advised, is that competitive bidding is as a general policy a desirable, if not an essential, requisite in the leasing of oil land, but there are two sides to the question.

Furthermore, the leasing in large units presents the most economical layout and most economical methods of development, which in turn makes for good conservation, decreases waste, and in other ways insures larger net yield.

The operation of the leases is under a very real control through the Bureau of Mines, and over the larger part of the western half of reserve No. 1 in California the Navy reserves the right to hold back drilling as long as it cares to do so. In other words, the drilling on the naval oil reserves is, generally speaking, confined to such drilling as in a liberal judgment is necessary to protect the oil in those naval reserves from drainage, whether from direct drainage or from the loss of gas pressure, which results in the same loss of oil.

If it is wise to hold oil in the ground anywhere, that is where it can be done, namely, in the western half of reserve No. 1 in California. In the lease presented to the Pan American Petroleum Co. there is no limit or restriction on the Navy's right to keep this area intact, but the lessee, on the other hand, must drill there when he is ordered so to do.

It is also true that in this lease the lessee has the priority preference right of drilling when the time comes, if it ever does come, that the Navy wants to drill that land.

With regard to the royalties in the leases, there has been no criticism of the royalties paid for the California lands. They are admittedly higher than the regular Government royalties for public land and higher than those paid for similar undeveloped land leased from private owners. In the case of the Wyoming reserve—reserve No. 3—it has been pointed out that the actual royalty now accruing from the Navy lands—about 17 per cent—is less than that from the public lands adjacent.

That is true; but it is not the whole story. The lands immediately adjacent to the naval reserve No. 3 pay a royalty of 25 per cent and other blocks farther away pay 33½ per cent; but the great bulk of the oil taken from Government lands in the Salt Creek field is under lease at lower rates, so that the actual average for the field as a whole, comparable to the reserve as a whole, is 22 per cent.

The leases outside the reserve are flat royalty—that is, the amount does not increase, no matter how big the wells may be. Within the reserve the royalties vary from month to month, depending upon the average yield per well.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House insisted upon its amendments to the joint resolution (S. J. Res. 107) declaring agriculture to be the basic industry of the country, and for other purposes, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WINSLOW, Mr. HOCH, and Mr. RAYBURN were appointed managers on the part of the House at the conference.

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 1306. An act for the relief of Henry McGuire;

H. R. 1830. An act for the relief of Charles T. Norman;

H. R. 4830. An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor;

H. R. 6255. An act to amend an act entitled "An act to authorize the incorporated town of Ketchikan, Alaska, to issue its bonds in any sum not to exceed \$100,000 for the purpose of constructing a schoolhouse in said town and equipping the same," approved February 7, 1920;

H. R. 6652. An act to authorize the city of Los Angeles, in the State of California, to construct and operate a line of railroad across the Fort MacArthur Military Reservation, in the State of California;

H. R. 6950. An act to authorize the incorporated town of Cordova, Alaska, to issue bonds in any sum not exceeding

\$100,000 for the purpose of constructing and equipping a public-school building in said town of Cordova, Alaska;

H. R. 6972. An act for the relief of William H. Nelson;

H. R. 9111. An act directing the remission of customs duties on certain property of the United States imported by the War Department;

H. R. 9314. An act to amend section 98 of the Judicial Code;

H. R. 9361. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 9402. An act granting the consent of Congress to the Fullerton & Portsmouth Bridge Co. to construct a bridge across the Ohio River to connect the city of Portsmouth, Ohio, and the village of Fullerton, Ky.;

H. R. 9457. An act granting the consent of Congress to the States of Alabama and Georgia, through their respective highway departments, to construct and maintain a bridge across the Chattahoochee River, at or near Alaga, Ala., connecting Houston County, Ala., and Early County, Ga.;

H. R. 9515. An act granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the canal near Rehoboth, Del.;

H. R. 9517. An act granting the consent of Congress to the North Texas Co., of St. Jo, Tex., a corporation organized under the laws of the State of Texas, to construct a toll bridge across the Red River in the vicinity of Illinois Bend, Tex.;

H. R. 9610. An act granting the consent of Congress to the Board of Supervisors of Lowndes County, Miss., to construct a bridge across Tombigbee River; and

H. R. 9612. An act granting the consent of Congress to the State of Georgia, through its highway department, to construct a bridge across the Oconee River.

NOTIFICATION TO THE PRESIDENT

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I ask unanimous consent that after I shall have yielded to the Senator from Massachusetts I may be allowed to resume the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SPENCER. I yield.

Mr. LODGE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. LODGE. I offer the resolution which I send to the desk. It is a routine resolution.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent to introduce a resolution, which, without objection, will be received and read.

The principal clerk read the resolution (S. Res. 258), as follows:

Resolved, That a committee of two Senators be appointed by the Presiding Officer of the Senate to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some other communication to make to them.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. McKELLAR. Mr. President, I have no objection to this resolution, and of course it is perfectly proper that it should be agreed to; but I want to serve notice right now that if the Senator from Missouri yields any more, I am going to make a point of order about it.

Mr. SPENCER. The Senator from Missouri will not yield unless he has unanimous consent to resume.

Mr. McKELLAR. I will arrange it so that the Senator will not get consent.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from Massachusetts.

The resolution was agreed to.

The PRESIDING OFFICER. The Chair names as the committee under the resolution presented by the Senator from Massachusetts the senior Senator from Massachusetts [Mr. LODGE] and the senior Senator from Arkansas [Mr. ROBINSON].

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. SPENCER. I yield for a question.

Mr. WALSH of Montana. I inquire when this notification to the President is to be made.

Mr. LODGE. I suppose in time to reach him before 7 o'clock.

Mr. WALSH of Montana. Whenever to-day the Senate shall conclude to adjourn?

Mr. LODGE. I do not know what the arrangement will be.

Mr. ROBINSON. The Senate has agreed to adjourn not later than 7 o'clock.

Mr. LODGE. Not later than 7. We should have to go before that, because under the concurrent resolution Congress will adjourn at 7 o'clock.

Mr. WALSH of Montana. This resolution does not arrange for the adjournment of the Senate instanter?

Mr. ROBINSON. Oh, no.

Mr. LODGE. The President will simply be notified at the proper time that the Senate is ready to adjourn.

Mr. ROBINSON. It is a formality that is universally observed.

Mr. REED of Missouri. Mr. President, I trust it will be so employed as not to interrupt the speech of the Senator from Missouri.

WAR FINANCE CORPORATION LOANS

The PRESIDING OFFICER (Mr. Moses in the chair). Will the Senator from Missouri permit the Chair to interrupt him long enough to name the committee provided for under Senate Resolution 208? The committee will be composed of the junior Senator from Nebraska [Mr. HOWELL], the junior Senator from Connecticut [Mr. McLEAN], and the junior Senator from North Carolina [Mr. OVERMAN].

LEASES UPON NAVAL OIL RESERVES

The Senate resumed the consideration of the motion of Mr. WALSH of Montana to adopt the report of the Committee on Public Lands and Surveys submitted pursuant to Senate Resolution 147.

Mr. SPENCER. The first point that I discussed and had nearly completed—I wish it were the last instead of the first—was the statement that was made in the report which the Senator from Montana insists that the Senate shall adopt without having any opportunity to read or consider it, and was that it was not intended at any time that the store of oil thus assured should be drawn upon for current use. I have shown that the policy of Secretary of the Navy Daniels, in his keen desire to protect the Navy, was to refuse to take steps to conserve the Government oil, which for the sake of the Government were essential, and which he did not take, doubtless with the best of intention. He intended to use the oil he did obtain for current purposes, and therefore the statement of the report is inaccurate, if it is not a misstatement.

I referred to the reasons why the Navy leases were made, and I said that within the naval reserves the royalties vary from month to month, dependent on the average yield per well. It may go as high as 50 per cent of the product of oil; and if the wells in Teapot had turned out as big as they were in the neighboring part of Salt Creek at the time the Teapot lease was negotiated, the royalty would have been 50 per cent instead of 17 per cent. The low royalty is due to the wells being small. There is much less oil in the ground covered by the Teapot Dome lease than either the Government or the lessee anticipated when the bargain was made. It may be said here as a statement that is worthy of consideration that when Senators have time to examine the report which the Senator from Montana now insists we shall adopt without opportunity to examine it it may result in the conclusion that so far as the two great naval oil leases—the one to Sinclair in Wyoming and the other to Doheny's company in California—are concerned, whatever may be said about the technicalities of their grant now before the court for decision and not before the Senate, the leases themselves have been of great benefit to the United States, and that either one of the lessees would be glad to cancel the leases and get back the money which has been spent in pursuance of their contract with the Government.

The hearings will never sustain the finding that the Government has been cheated in those leases, though there is a real difference of opinion as to whether the legality of the granting of the leases is assured. Those questions, as I have said, are now before the court. Probably that is one reason why there is no recommendation in the report in connection with those matters.

The mere fact that there was much less oil in the naval reserve than either the Government or the lessees anticipated is not the whole story. One of the features of the Mammoth Oil contract—and the Mammoth Oil Co. is the Sinclair Co., and the Mammoth Oil contract is the contract incident to the lease with the Sinclair Oil Co.—was that the company agreed to pay and paid the Navy full Mid-Continent prices for the oil as against the ordinary Salt Creek price. That may seem like a technical statement. As a matter of fact, it means that the price for oil

in the Salt Creek district in Wyoming where the oil was located is one thing, and the price of oil in the middle of the continent where it may have been taken by a pipe line, where refineries are near and markets are available, is another thing. The price of oil in the Mid-Continent territory is much higher than the price of oil in the Salt Creek district. Therefore the provision in the contract that Salt Creek prices should not control, but that the Government for its oil produced from the Salt Creek district should receive, not the Salt Creek price, but the price that was paid in Mid-Continent, was one of great value to the Government. At the time it amounted to a premium of 65 cents a barrel, and for the first year the average premium which the Government secured by virtue of that contract was 41 cents a barrel, realizing to the Government millions of dollars of profit. At present prices even the 17 per cent royalty at the naval price brings in more than 22 per cent would have brought in at the Salt Creek price. The Navy had a further advantage of 10 cents per barrel based on a year's average in the price at which it draws or may draw fuel oil under the exchange provisions of the contract.

It will also be remembered—and I call attention to this in passing—that for each barrel of royalty crude oil turned over to the Mammoth Co. in Wyoming the Navy is entitled to a full barrel of bunker A fuel oil delivered free at a specified Atlantic or Gulf coast terminal. The fuel oil in the first year of operation under the contract varied in price from 1.5 cents to 1.23 cents per gallon more than the simultaneous prices of crude oil in Wyoming. The average received by the Navy for Teapot royalty for the year was \$1.65 per barrel, and bunker A fuel oil was selling at approximately \$2.20 a barrel, so even at the lower royalty resulting from the smaller wells the Navy, under the contract, comes out far ahead.

Incidentally, the possession of this contract by the Navy raised prices in the entire Salt Creek district and permitted the Government in terms to contract royalty oil at Mid-Continent prices. This in the year 1923 resulted in a clear gain in one year of \$3,003,709, which did not come to the Navy because it was outside of the naval reserves; but it was money that came to the Government and was distributed between the State of Wyoming and the reclamation fund and the 10 per cent that went into miscellaneous receipts of the Government.

Mr. President, so much for the first point of the report to which I have called attention. On page 5, line 2, of paragraph 2, the report provides that the act which was then being discussed in the report—

authorized the Secretary of the Interior to lease any producing wells within the reserve, and further—

I call attention to this—

authorized the President to lease all or any part of any claim—

That is, placer-mining claim—

within which there should be any such producing wells.

It is not a full or accurate statement. It refers to section 18A of the act of February 25, 1920, which has also been construed to authorize not only what the report said but also to authorize the President to lease claims in naval reserves included in the withdrawal of September 17, 1909, which—

have been or may hereafter be drawn in question on behalf of the United States in any department or judicial proceeding.

I call the attention of the Senate, on page 10 of the report, to what undoubtedly is a mere mistake and does not affect any great issue. The report reads that three of these claims that have been drilled to the shallow Shannon sands yielded, it was claimed at the time they were first brought in, from three to eight barrels of oil per day.

The Senator is mistaken in regard to the number of wells. The record shows that there were four wells instead of three and that the cost of the fourth well, as he will find on pages 428 and 1197 of the record, was \$1,252.45.

On page 10 of the report, in making its argument as to why lessees who had claims were content to surrender their rights if they could get a lease from the Government, the statement is made:

Their application for a lease was undeniably an admission that they were not entitled to patent for the land, for obviously they would not have contented themselves with a lease of one well if under the facts of the case they were entitled to a patent for the entire 160 acres embraced in the claim.

The argument would be unanswerable if the premises were conceded, but the difficulty is that the facts are not correctly stated, for what the applicant or claimants contended for and what they got were not leases for one well, but leases for the

whole 160 acres upon which they may have had many wells. The fact was brought out in the record on pages 445 and 447. It was better to take a lease undisputed for 160 acres with the right to drill as many wells as they desired on that 160 acres than it was to fight about the title to land when the main value of the title was to give them the very oil privilege which they secured in the lease.

On page 10 of the report it is stated that "the only basis upon which a right to any of the land could be founded is a discovery; that is, a discovery of oil antedating the withdrawal order of 1909." This presumably refers to the order of September 27, 1909.

The Senator is mistaken in that; it is not a full statement; it is not a correct statement. This report has to do with fundamental rights in connection with the oil leases, and it ought to be accurate. I do not for one moment claim either here or elsewhere that there is any intentional misstatement, but the misstatements are there nevertheless. The fact is that a right to land can be founded not only upon—

a discovery of oil antedating the withdrawal order of September 27, 1909, but as well upon the order of July 2, 1910, and also upon diligence in seeking such discovery from the date of withdrawal until discovery was actually made.

On the same page, page 10 of the report, a statement is made which, I am sure, must have been inadvertently made, because it is a misstatement, a misquotation of what the Assistant Secretary of the Interior said. No one, judging from what the senior Senator from Montana has often said upon the floor of the Senate and in the committee, holds a higher opinion of the Assistant Secretary of the Interior than does the senior Senator from Montana. The statement, however, that he makes at the bottom of page 10 and in the first line of page 11 is this:

Secretary Fall, in his letter to the President, treats this action seriously, but Assistant Secretary Finney, intimately familiar with the practice of the department and with all of the laws in relation to the disposition of the public domain from an experience of over 20 years in the department, asserts that no such proceeding is recognized by the rules of practice of the department.

In other words, that under the rules of practice and under the rules of procedure there was no authority for the Secretary of the Interior to review a case, as he did do in the case to which the Senator from Montana is referring. What Mr. Finney said, as found on page 2332 of the record, was:

There is—

Not that there is not—

There is a sort of supervisory power recognized in the Secretary, and claimants do sometimes file a request or petition—I think petition is really a better name than anything else—for the exercise of some supervisory power by the Secretary to give the matter another review. Quite a number of those have been filed at various times. Now it is not a right. I should say it is a mere privilege. * * * It does not act as a supersedeas.

But the fact that it always had been done; that it did have recognition in the practice of the department is undoubted; and the statement to the contrary in the report is a mistake. The subject of the supervisory power was also covered even more carefully on page 1600 of the record, as follows:

It is specifically provided for in the circular entitled "Rules of practice in cases before the United States district land offices, the General Land Office, and the Department of the Interior," approved December 9, 1910, reprinted July 13, 1921, with amendments. The circular provides:

SUPERVISORY POWER OF SECRETARY—RULE 35

Motion for the exercise of supervisory power will be considered only when accompanied by positive showing of extraordinary emergency or exigency demanding the exercise of such authority.

I submit to the Senate how unwise to go before the country with a report which states that upon the testimony of the Assistant Secretary of the Interior no such supervisory power of the Secretary is recognized by the rules of practice of the department, when the exact opposite is the fact, as the Assistant Secretary himself explained. The fact is that in the Department of the Interior there is that supervisory power of the Secretary of the Interior to pass upon questions on petition for review, not as of right on the part of the petitioner but as a matter of privilege, and it is recognized in the department. In leaving this subject, I want to quote from the syllabus of a decision on June 19, 1895, in Volume III, Land Decisions, 595, as follows:

The privilege of discussing a case orally before the Secretary is accorded within the discretion of the department, but not as a matter of right.

The syllabus of the decision of July 19, 1900, in Volume XXX, Land Decisions, 161, reads:

The Secretary of the Interior, in the exercise of his supervisory power as head of the Land Department, may, even in the absence of an appeal, transfer the consideration of any matter pending before the General Land Office to the department, and, after due opportunity to the parties in interest to be heard, may render decision therein correcting and obviating errors or irregularities in the proceedings or decisions of that office.

The next point in the report to which I desire to call attention is found on page 11. Undoubtedly the time which elapsed between May 14, when we closed the hearings, and June 4, when this report was presented to the committee, was not sufficient to enable even one so diligent and so familiar with this matter as the senior Senator from Montana thoroughly to review and study the testimony. There were thousands of pages of testimony that, in a sense, ought at least to have been reviewed. In view of the circumstances the mistakes that occurred were to be expected, and undoubtedly there will be many more that will be manifest upon a careful examination, for no Senator has as yet had adequate time afforded him to go through the testimony or even to examine the report.

The argument the Senator makes on page 11—and it is interesting to note how he is hoisted by his own petard in that instance—is this:

The facts are that all of the claims were held or controlled by the Pioneer Oil Co., a subsidiary of the Midwest Co., which in turn is a subsidiary of the Standard Oil.

Mark the intimate relation between the Pioneer Oil Co. and the Midwest Co. and the Standard Oil Co.:

One or more of these companies had, at least since 1919, been endeavoring to secure a lease of naval reserve No. 3, or some portion of it. They were all amply able to undertake the development of the territory and were potential competitors for the lease. Sinclair paid, or agreed to pay, to the Pioneer Oil Co. some short time before the execution of the lease a million dollars nominally for the claims so reported, as above stated, to be worthless.

I will resume that quotation in a moment.

All those claims in the Salt Creek district—and there were many of them—had more or less foundation. No one knows how much. I doubt if they had much foundation. I think that many of them were equitable claims, which upon legal proceedings would have been disallowed. I agree with the Senator from Montana in that general observation; but when the Secretary of the Interior came to execute leases of this property to Sinclair's company, the Mammoth Oil Co., he said, in effect, we are not going to have all those outstanding claims unsettled; we are going to have them settled so that there shall not be constant litigation between those claimants, with or without good ground for their claims, and the Government of the United States. Therefore he made with Sinclair's company as one of the conditions of this lease that they acquire all those outstanding claims and quitclaim them to the Government of the United States so that the title of the Government of the United States to this land should be unquestioned. Then your lease to this ground, the title of which is thus unquestioned in the United States, will be granted. Sinclair, in pursuance of that condition in his contract, paid a million dollars to secure the control of those claims. The senior Senator from Montana does not think that that million dollars was paid for those claims; the senior Senator from Montana thinks that those claims were absolutely worthless; but doubtless the senior Senator from Montana, like any other lawyer in this body, has often found that claims that were deemed by himself or by his client to be worthless when it came to litigation were found, as the result of the judgment or decree in the case, not to be so worthless as had been imagined, but, on the contrary, to have substantial merit. That was precisely what was in the mind of the Secretary of the Interior when he said:

All these claims must be wiped out and the title to the Government must be assured before the Government will grant you this lease.

In any event a million dollars was paid for those claims, and the report goes on to say:

Though that construction of the transaction is denied by Sinclair—

That is, that he paid the million dollars not for the claims but for other purposes, perhaps bribery, and to discourage competitors—

Though that construction of the transaction is denied by Sinclair, your committee is of the opinion that the payment was not made in fact for the transfer of the title of these claims but to remove from the field a formidable competitor for the lease and that the true nature of the transaction was thoroughly understood by Secretary Fall.

What does the senior Senator from Montana want the Senate of the United States to do? He wants the Senate of the United States to adopt this report without opportunity of examination and by its adoption to say, in effect, "We, the Senate, never having read the report or knowing anything about the facts, declare that the \$1,000,000 which Sinclair said he paid and which, as a matter of fact, he did pay to the holders of those claims against the Government in the Salt Creek district was paid not to cancel those supposed claims, which were worthless, but it was a corrupt bargain to discourage competition, to bribe competitors, and the Secretary of the Interior was a party to it, and between the two that corrupt, illegal act was consummated."

I undertake to say for myself that without far stronger evidence than we have yet secured I should not attempt to pass judgment on the matter. There was no need in this report of attempting to take such snap judgment, and it is not fair to ask the Senate of the United States to pass their judgment without sufficient evidence to warrant the unfair inference and without any opportunity to examine into the facts.

But look at it further. The weakness, the ridiculousness, of the conclusion arrived at by the senior Senator from Montana is apparent from the very face of the statement. His conclusion is absurdly erroneous.

If the Pioneer Oil Co. is controlled by the Standard Oil Co. of Indiana, as the senior Senator from Montana declares in this paragraph, and if the Standard Oil Co. of Indiana owns one-half of the Sinclair Crude Oil Purchasing Co., as is stated on page 13 of this report—that company which purchases and conveys the Teapot Dome oil eastward—it follows, if the senior Senator from Montana is correct, that there was an attempt on the part of one subsidiary of the Standard Oil Co. to bribe another subsidiary of the Standard Oil Co., or, in other words, that the right hand was at war with the left hand, a ridiculous conclusion, Q. E. D., and emphasizes, if I may say so, what I want to make clear, that there has been no adequate opportunity either to prepare a correct or fair report or to examine the report even as made.

On page 16 the Senator makes the following statement:

Though the production from the reserve—

That is, the naval oil reserve No. 3—

has never exceeded seven or eight thousand barrels daily, the construction of the pipe line by the Sinclair Crude Oil Purchasing Co. is in progress, that company having assumed whatever obligation in that regard was due from the Mammoth Oil Co. under the lease.

Unquestionably this pipe line would not have been built when it was built if the pipe line company had not secured the Salt Creek royalty oil. The fact of the matter is that a pipe line—I think 700 miles long—has been built from the Teapot Dome and the Salt Creek district that carries the oil from that field to where it can be refined and used, and the Sinclair Co. were required by their contract to build that pipe line; and, more than that, the Government were given the prior right to transport every barrel of their oil through that pipe line before any other customer could be served—a right in itself that was and is of exceeding value.

On the same page—page 16—the report reads:

The daily production of the Salt Creek field may reach 175,000 barrels, but by agreement between the operators the output was limited—

The original report said "is limited"—

To 40,000 barrels, that amount being all that can be handled by the local refineries.

The inference is clear that a limitation of 40,000 barrels per day is in force. There was an original limitation. There is to-day no such limitation, and as a matter of fact the Salt Creek field, excluding Teapot Dome, is now producing daily between 90,000 and 100,000 barrels of oil.

Mr. WALSH of Montana. Mr. President—

Mr. SPENCER. Mr. President, I regret that I can not yield, unless with unanimous consent to resume. I am sure the Senator from Montana does not desire to take me off my feet, or plan so to do, and yet he was the one who gave notice that if I yielded again he would raise the point of order that I had yielded the floor.

Mr. WALSH of Montana. I merely desire to remark that the Senator is not discussing the committee's report at all. He is discussing my original draft.

Mr. SPENCER. As I said at the outset, there was submitted on June 4 a report, and the next day, or the next day after, an amended report was produced, with which was made the statement, I think upon the floor of the Senate, certainly in the committee, that there were no substantial changes between that and the original report, except that certain concluding paragraphs were left out.

Mr. WALSH of Montana. It was changed in the particular the Senator is now talking about.

Mr. SPENCER. And it may be that here and there there will be an item to which I refer that is corrected in the final majority report. I hope that is true. I wish every one of the errors and misstatements were corrected. If they had all been corrected there would have been no necessity of the duty that is now imposed upon me.

Mr. WALSH of Montana. All were corrected that seemed to need correction.

Mr. SPENCER. I know that the next misstatement which I had marked has been corrected in the majority report, for on page 17 the report inadvertently referred to oil which was delivered to the Navy when it never meant the Navy; it meant the Shipping Board. That happened to strike my eye quickly, and I called the attention of the senior Senator from Montana to it, and that correction has been made. There is no need of comment upon it.

On page 17, at the bottom of the page, there occurs this statement:

When on the stand Admiral Robison, who succeeded Admiral Griffin and represented the Navy Department in connection with the contracts, insisted that considerations connected with the national defense were influential in the course pursued with relation to them, which he asked an opportunity to present at an executive session.

In other words, the Navy Department said, in effect, "We took certain action with regard to that oil in the naval reserves which we would like to discuss in executive session. Questions of national defense were involved."

Now, the concluding paragraph on that page reads as follows:

No information was conveyed to the committee which, in its opinion, had not in substance been made public, nor has the committee been able to appreciate how the public interest would be subserved or the common defense promoted by secrecy with reference to any feature of the contracts.

I do not care particularly about the slur on Admiral Robison. I do not care about the Senate's committee saying that the Navy did not know what they were talking about when they said that national defense suggested that this matter be brought up in executive session; but the statement is made that no information was conveyed, when the record will show that when that matter was discussed by the committee, five of them being present, three members agreed to the statement as it is made in this report and two members—the Senator from Utah [Mr. SMOOT] and the Senator from Wisconsin [Mr. LENROO]—dissent, as will be found on page 963 of the record. It is not a fair statement, and it ought not to go out with the sanction of the Senate.

On page 18—and I call the attention of the Senate again, as I hurriedly proceed, to the fact that I do not pretend that this is any exhaustive examination of this report. It is the mere picking up here and there, from casual examination, of the mistakes that are apparent to those who have examined it. I want the opportunity to examine it carefully and to have it examined carefully; but the mere physical matter of time has absolutely prevented since June 4, and every Senator in this Chamber will recognize how impossible it has been to give any adequate consideration to such matters in the last few days of this session.

On page 18 the statement is made—and this has to do with a fundamental policy—on the point of drainage and its effect:

On this point there is no difference of opinion among the geological experts.

We have a very interesting difference of opinion, as I shall hope to show a little later.

They differ only as to the extent and seriousness of the drainage and the appropriate means of meeting the situation.

If the Government oil reserve were to be indicated by a Senate desk, before which I stand, on which at any point oil wells could be drilled, and the private land of others that was not Government land and to which the Government did not have

title were represented by the adjoining desk, all experts agree that if the adjoining holders were to sink producing wells along on the line of their land the result would be that those wells would drain the oil from the adjacent Government lands, and that the loss of oil to the Government in the ground would be great, and the gas pressure, which is responsible for bringing the oil to the surface would be lessened by these adjoining wells, so that it would not be available to drive oil to the surface in the Government wells when they saw fit to drill them.

All experts agreed upon this. Some experts are of the opinion that that drainage, that loss of pressure, was so limited that what is called a line well—that is, a well sunk close to the line, within a comparatively few feet or a hundred feet of the adjoining land—would protect all the oil land back of that line well from any drainage or from any loss of gas pressure. Other experts believe that the drainage was so imminent, was so great, and the loss of gas pressure was so severe, that it required the substantial drilling of the Government land if the Government wanted to get out the oil that was under it. Otherwise it would be wasted; it would be drawn away; it would be drained by wells that were perhaps as far as 2 miles distant; and if the Government left their oil fields alone, and never sunk oil wells or produced any oil, but relied upon the hope that the oil would remain in the ground, it would happen that when, in the course of 5, 10, 15, or 20 years the Government, in expectancy of great results, should come to its oil reserves and say, "Now we will drill our wells and get out our oil," it would be found that the wells were barren wells, and that the oil that was once there in the ground had been drained away by the adjacent wells; and therefore there was and is a real difference of opinion as to how far drainage imperiled adjoining land, and as to how extensively it was necessary to sink protecting wells.

The report says:

As to this it is easily discernible—

Notice what seems to be an exceedingly unfair inference—

that those wedded to the policy of keeping the oil in the ground minimize the importance and the effect of the drainage that may take place, while those who advocate or are tolerant of the policy of extracting the oil and storing it magnify the loss that has ensued or that may ensue. Generally speaking, the experts of the Geological Survey belong to the former class—

Those who believe in keeping the oil in the ground—

and those of the Bureau of Mines to the latter.

The latter class being those who believe in taking it out of the ground and storing it.

I undertake to say, in passing, that it can be demonstrated beyond peradventure, and that every argument of economy and efficiency requires that that oil in the naval oil reserves should be taken out of the ground and should be stored—not used but stored—ready for any emergency that may result, for, as I said a little while ago, an emergency for oil is an emergency, and can not be met by oil in the ground that may take months or a year or two to get it out of the ground.

The efficiency of the Navy of the United States, in the opinion of every navy in the world, has been doubled by reason of the fact that there are a million and a half barrels of oil stored at Pearl Harbor in the Hawaiian Islands, which they know is ready for instant use; and 2,400,000 more barrels of oil will be stored in the tanks that are about nearing completion. Not one barrel of all that oil so long as it remained in the ground was of the slightest help to the Navy in meeting any emergency need for oil.

More than that, it is fair to state that those who believe that the drainage is slight and that a mere lineal well, a well along the line, will protect the whole area back of it are mainly those who are what I might call areal or surface geologists, men of culture and of standing in their profession but having to do with the geological manifestations upon the surface. Those who have had to do with the geology underground, with the drilling of wells, with the production of oil, who know about the administration of oil wells and their products, are all agreed that the drainage is severe and it should be guarded against, not by mere lineal wells, but by wells back in the interior if the Government desires to preserve its oil.

On page 18, about a third way through the second paragraph, it is stated that—

On the escape of the gas through a well, paraffin or asphalt carried as a base is precipitated and gums up the passage leading to the orifice, effectively shutting off eventually the exit of oil through it or the escape of gas.

Many people think that a pool of oil is a pool of liquid; that if you had a dipper and could get down to the pool of oil you could dip it up; that it is a liquid mass of black, crude oil, either with an asphalt or paraffin base. That is not an oil pool, Mr. President. An oil pool is merely a great body of sand in the interstices of which there is oil, and the amount of oil is dependent upon the porous character of the sand, and when we get oil from an oil well we draw out of the sand the oil that is there, and it is true that as that oil is drawn out the paraffin that is in the oil has a tendency to clog up the little spaces between the grains of sand and therefore to prevent drainage from wells adjacent. But the report gives an entirely unfair impression, because the removal of that paraffin, that gumming-up process, that interference with the drainage is easily accomplished and is accomplished by every practical well driller, who cleans out his well as often as necessary.

As soon as a well ceases to produce because of being paraffined up it is cleaned out so that it may produce freely.

On page 19 we have an unqualified statement which is eminently unfair. The impression it creates I am sure could not be intended by any fair man who wrote it. It states, in regard to these leases, that "the Government actually realizes for use as fuel but 6 per cent of the total content of the reserves under the plan being followed."

Any man who reads it would come to the conclusion at once that 6 per cent of the oil came to the Government and the rest went to other people. As a matter of fact, in another part of the report it does speak of the Government receiving 6 per cent and the lessees receiving 94 per cent when that is not the fact at all.

Mr. NORBECK. Mr. President—

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator yield?

Mr. SPENCER. Mr. President, I can not yield unless I have unanimous consent to be allowed to proceed, for I have been warned upon the other side that if I yield again I will be taken from the floor.

Mr. NORBECK. The Senator can get the floor again.

Mr. SPENCER. I regret that I can not yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. NORBECK. I do not think the Senator understands what I am after.

Mr. SPENCER. It is not up to the Senator from Missouri; it is up to the Chair. If the Senator has any point of order that entitles him to be heard, I shall, of course, wait for him to state it, but I can not yield.

Mr. NORBECK. If I understand correctly—

The PRESIDING OFFICER. Does the Senator make a point of order?

Mr. NORBECK. If I understand it aright, the protest is against taking a vote. I just want to submit that yielding does not bring the matter to a vote. The debate will go on just the same afterwards.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SPENCER. On page 19, at the end of the first paragraph, I quoted from the report as follows:

The Government actually realizes for use as fuel but 6 per cent of the total content of the reserves under the plan being followed.

As a matter of fact, what actually happens, and about which there can be no dispute, is that that is only one-third of what the Government gets. The Government gets 6 per cent of its royalty in oil and gets two-thirds of its royalty in permanent storage, in which this 6 per cent is stored. The Government's portion is three times that which this report leads any man who reads it to assume was the total return to the Government. The Government does not get only 6 per cent of the oil. The Government gets three times that in royalty; but by its own contract—

Mr. CARAWAY. Will the Senator yield?

Mr. SPENCER. I wish I could; but under the ruling of the Chair I can not. But under its own contract it takes two-thirds of its royalty, and has that represented by tanks and storage facilities, and keeps the other third in oil itself.

Mr. WALSH of Massachusetts. Mr. President—

Mr. SPENCER. On page 19—

The PRESIDING OFFICER. Does the Senator yield?

Mr. SPENCER. I can not yield.

Mr. WALSH of Massachusetts. A point of order, Mr. President.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. WALSH of Massachusetts. Will the Senator, now occupying the floor, lose the floor if he yields to another Senator for a question?

The PRESIDING OFFICER. The Chair does not think that if the Senator yields for the purpose of permitting another Senator to ask a question he will lose the floor.

Mr. SPENCER. Mr. President, under that statement, I yield with pleasure for a question. I was informed differently by the Chair.

Mr. WALSH of Massachusetts. I have no question to ask, but the Senator has declined to permit questions to be asked on the theory that he would lose the floor. I do not understand the Senator would lose the floor by permitting a Senator to inquire as to the matter he is discussing.

Mr. SPENCER. Mr. President, such was my understanding.

Mr. ASHURST. A question of order.

The PRESIDING OFFICER. It is a moot question which is presented, and therefore the Chair makes no ruling on it.

Mr. ASHURST. The fiction has grown up in the Senate to the effect that a Senator may hold the floor and also yield it in an hour like this, when every moment is precious. A Senator may not, in the very nature of events, hold the floor and also yield the floor.

Mr. WALSH of Massachusetts. Does the Senator hold that a Senator can not yield the floor to have a question put to him?

Mr. ASHURST. After a Senator has spoken twice on the same day, upon the same question, he may not yield for a question without losing the floor.

Mr. WALSH of Massachusetts. Then the proper practice has never been followed in the Senate, if that is true.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I can not yield.

The PRESIDING OFFICER. The Senator declines to yield. Mr. WALSH of Massachusetts. I would like to have a decision on the point of order. I understood the Chair to make a decision and then withdraw it.

The PRESIDING OFFICER. The Chair said it was a moot question, because no question had been asked. Does the Senator desire to ask a question?

Mr. WALSH of Massachusetts. The Senator from Arkansas asked a question, and the Senator declined to yield, because, he said, he would lose the floor.

The PRESIDING OFFICER. The present occupant was not in the chair at the time when the Senator from Arkansas asked the question. The Senator from Missouri is recognized.

Mr. SPENCER. Mr. President, on page 19 of the report—and I am sure the Senate will be quite as glad as I am to know I am more than half through with the report—it is stated:

In 1920 highly productive wells were brought in in territory immediately outside the southeastermost extremity of naval reserve No. 1—

That is in California.

and Secretary Daniels, prior to his retirement on March 4, 1921, had called for bids for the drilling of 22 offset wells within that reserve.

This is not in accordance with the facts as they appear in the hearings. Lieutenant Commander Stuart was asked the following questions and gave the following answers (page 770 of the record):

Commander STUART. After seeing this, as I recall it, the bids were made on the 15th of April, 1921.

The CHAIRMAN. That is, the proposal for the bids?

Commander STUART. Yes, sir.

Senator WALSH. That is signed by whom?

Commander STUART. Edwin Denby, Secretary of the Navy.

Senator WALSH. You do not recall that prior to that time Secretary Daniels had called for bids for any drilling on any of the reserves?

Commander STUART. No, sir; I do not think he had. It has been talked about, but Secretary Daniels was very loath to start any drilling on the reserves because of the prime purpose of the reserves.

Lieut. Commander Stuart on page 769 corroborated this general statement. It has for the committee some interest, because it was the subject of a good deal of discussion, and the misstatement is unfortunate.

On page 20, about a third through the first paragraph—and I only make a passing observation, because the record does not show what the exact fact is—the following is stated:

Doheny submitted two bids, one of which was in strict conformity with the proposals and the other offering to do the work at a less cost but securing to him a preference right to a lease of practically the eastern half of the reserve. (Rec., pt. 4, p. 1003.) His alternate proposal was accepted and the contract entered into accordingly under date of April 25, 1922. The negotiations for this contract were carried on simultaneously with those culminating in the lease of naval reserve No. 3.

The inference is that no other bidder had any opportunity to compete under the different provisions called for under the contract provision. As a matter of fact, the Department of the Interior has written a letter, of which I have seen a copy, but which did not come to the committee in time for our hearing, which shows that other bidders had the same opportunity which Mr. Doheny had.

On page 20, at the beginning of the last paragraph, it is stated:

The conditions giving rise to this lease (in naval reserve No. 1) are of such supreme importance as to require detailed attention.

Then, having said that the matter was of such supreme importance, it starts out with the statement:

There was here no impending loss from drainage.

Evidently it was entirely overlooked that large actual loss had occurred from many wells drilled in section 36, and that the loss was impending, and was severe. Yet it is, as the Senator states, a question of extreme importance about which this misstatement is made.

On page 24, speaking of the financial relations between Mr. Doheny and Secretary Fall, the committee recites in its report:

Its sinister import is appreciated when it is borne in mind that without competitive bidding—

As a matter of fact the records will show there was competitive bidding; there were others who had the opportunity to bid—

as heretofore explained, Doheny got from Fall in the month of April following the contract for the construction of the tanks at Pearl Harbor, and with it a preference right to a lease of a large share of naval reserve No. 1, to be followed, without competitive bidding, by a lease of the entire reserve, comprising over 30,000 acres, estimated to contain 250,000,000 barrels of oil, out of which, Doheny told the committee, he would be in bad luck if he did not make \$100,000,000 profit.

The fact of the matter is there were others seeking the lease. There were others who were negotiating for it, and at least one of them was conferring with the Secretary of the Interior in the matter. The statement is not fair as to its absolute lack of any competitive bidding.

On page 25 we have a reference to section 36 in the reserves of California which is entirely inaccurate:

The State of California, apparently relying upon the return of the surveyor and the mention of the character of the land appearing on the plats prepared by him, alleging that section 36 was mineral in character, filed an application in the Land Office asking to be permitted to select other lands in lieu of said section 36, a right it was entitled to exercise under the granting act, if that section was indeed mineral in character.

Here is where the misstatement begins:

This application was denied upon the ground that the lands applied for had already been appropriated, and the motion was amended so as to be directed to other tracts, section 36 as a base having been withdrawn by an amended application filed in 1905.

The facts are that on January 4, 1902, the State of California applied this section 36 as a base for new land—pages 1475-1477—that is, when a section of land has been granted to a State by the Government and it is found that the section granted to the State is mineral and, thus classified as mineral land, the State is not permitted to take possession of that section thus designated as mineral but is permitted to use that section as a base for making entry upon other equivalent land. On November 20, 1905, the State withdrew section 36 as the base, as will be shown on page 1481 of the record. Those were the only relations of section 36 to new land selections. The first action was evidently taken because the land surveyor had classified section 36 as mineral land. The second action was eventually taken because the department, on the report of Special Agent Ryan, had classified the land as then being not known mineral land, but the statement of the report in regard to section 36 is quite inaccurate.

Mr. President, on page 27, in referring again to the right of review before the Secretary of the Interior, about which I made

some comments awhile ago and which I shall not now repeat, the report states:

Such a proceeding as that entertained by the Secretary of the Interior is wholly unknown in the practice of the land department. No precedent for it was known by anyone so far as the committee was able to learn.

This declaration goes out from the committee, and the committee wants the Senate to adopt it, that the action of the Secretary of the Interior in hearing these matters was in violation of all practice, of all procedure, and against the uniform course of action in the department. If the committee had taken pains to look at page 1600 of the hearings, they would have found that statement to be doubtful as to its accuracy; that such practice is quite within the rules of procedure as has been again and again demonstrated and expressly affirmed in opinions.

On page 28—

Mr. BURSUM. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. BURSUM. Would it not be possible for the Senate to agree to take a vote on this proposition without so long a debate?

Mr. SPENCER. I should be very glad to end the necessity of debating this question.

Mr. BURSUM. This is the last day of this session—

Mr. SPENCER. I recognize that fully.

Mr. BURSUM. To my mind the proposition of taking all the time in a debate at this time is simply outrageous and unjust.

Mr. SPENCER. I recognize the force of that. I hope it will not be applied to me. I will stop right now if the Senator from Montana will not ask for the immediate adoption of his report. If that is adopted, that puts the Senate back of his report, and all I want is an opportunity, and a fair opportunity, to examine that report before we vote on it.

Mr. ROBINSON. Mr. President—

Mr. BURSUM. Let us vote on it now. What is the difference?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. SPENCER. I yield for a question.

Mr. ROBINSON. I inquire of the Senator from Missouri whether he thinks he is justified in preventing the Senate from doing other business in order to escape a vote on the majority report made by the Senator from Montana respecting the oil investigation?

Mr. SPENCER. Mr. President, I will answer the Senator from Arkansas that I have no intention of preventing a vote. I have no desire to indulge in what is commonly called a filibuster.

Mr. ROBINSON. If the Senator will pardon me, that is not the question I asked him. I asked the Senator from Missouri whether he feels that he is justified in preventing the Senate from transacting any other business in order to avoid a vote on the majority report presented by the Senator from Montana; and in that connection, if the Senator will indulge me for a brief statement, I would like to state that apparently the Senator, in order to keep the Senate from registering its will on the subject matter of this report respecting the oil-lease investigation, has taken the floor and proposes to debate the report until the session ends. If he does that, he must take responsibility for the defeat of the deficiency appropriation bill, for a denial of a vote on the veto message of the President respecting the postal employees salary bill, and all other measures that are pending before the Congress. I want the Senator from Missouri to understand that if he filibusters against a vote on the report offered by the Senator from Montana, the majority report of the committee, he will by his doing so defeat all measures that are now pending before the Congress.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. ROBINSON. Permit me to finish my statement, with the Senator's indulgence.

The Senator has been occupying the floor and taking unanimous consent to resume the floor so as to prevent the Senate from transacting any business except such business as he desires to be transacted. If he wants to take responsibility for defeating the general deficiency appropriation bill and for preventing any vote on the veto message of the President and for defeating all conference reports that may be outstanding, he can do so by pursuing the course he is now pursuing, but he must take that responsibility.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I yield for a question.

Mr. LODGE. I merely desire to say this, in answer to what the Senator from Arkansas has just said, that the Senator from Missouri is not the only one who is concerned in this report. This is a voluminous report, with more or less testimony. I am one of many who have had no opportunity to read it or examine it.

Mr. ROBINSON. Will the Senator from Massachusetts yield?

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. ROBINSON. Will the Senator from Missouri yield?

Mr. LODGE. I have not finished.

Mr. SPENCER. After the Senator from Massachusetts has finished.

Mr. LODGE. I will be very brief. I do not propose, for one, to have that report choked down my throat this afternoon before I have had an opportunity even to examine it, and I do not think any of us ought to be subjected to that. This is not a report to be adopted by the Senator from Missouri or by the Senator from Montana. It is a report for which the Senate is to be responsible, and we ought to have reasonable opportunity to read it and express our views, if we desire to do so. I did not bring up this report. I do not know who did; but it can not be finished up in two hours this afternoon.

Mr. ROBINSON. Mr. President, will the Senator from Missouri kindly yield to me?

Mr. SPENCER. I yield for a further question.

Mr. ROBINSON. It appears, from the statement of the Senator from Massachusetts, the leader of the majority, that he indorses the filibuster indulged in by the Senator from Missouri to prevent the Senate from voting on the motion for the adoption of this report respecting the oil-lease investigation. The Senator from Massachusetts has said no opportunity has been afforded Senators to consider the report. The report was printed two or three days ago, and ample opportunity has been afforded Senators to read the report and to familiarize themselves with its contents. The country can not be deceived. Neither the Senator from Missouri nor the Senator from Massachusetts can deceive the Senate or the country. This is a deliberate filibuster and an effort to prevent the Senate from passing upon the report made by the Senator from Montana, and in order to do that the leader of the majority and the Senator from Missouri are both willing, according to their statements just made, to defeat the general deficiency appropriation bill, to prevent a vote on the veto message of the President, to defeat outstanding conference reports, including that on the naval bill—anything to prevent the Senate from voting on this report on the oil-lease investigation.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. SPENCER. There shall be no misunderstanding.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. SPENCER. I do not yield.

Mr. WALSH of Montana. A point of order, Mr. President.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. WALSH of Montana. I make the point of order that the Senator from Missouri has yielded the floor.

The PRESIDING OFFICER. Under the liberality which generally characterizes the proceedings of the Senate, the Chair can not sustain that point of order.

Mr. SPENCER. Mr. President—

Mr. WALSH of Montana. I give notice that if the Senator from Missouri again yields to anyone, I shall insist that he yield the floor.

Mr. SPENCER. Mr. President—

Mr. HEFLIN. Mr. President—

The PRESIDING OFFICER. Does the Senator yield?

Mr. SPENCER. After the notice given by the Senator from Montana, I must decline to yield.

Mr. HEFLIN. Mr. President, the Senator from Tennessee—

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. HEFLIN. A point of order.

The PRESIDING OFFICER. The Senator will state the point of order.

Mr. HEFLIN. The Senator from Tennessee [Mr. McKellar] notified the Senator from Missouri that if he yielded again the

point of order would be made against him. He has yielded twice since that time.

The PRESIDING OFFICER. By unanimous consent.

Mr. HEFLIN. He yielded twice to interruptions.

The PRESIDING OFFICER. Those were unanimous-consent yieldings, to which the point of order is directed, as the Chair recalls it. At any rate, the Senator from Missouri has the floor.

Mr. SPENCER. There shall be no misunderstanding about the parliamentary situation in which we find ourselves if I can help it. If the argument and the facts back of the Senator from Arkansas were equal to the eloquence and power of his statement, they would be unanswerable. But what are the facts? If there had been any desire to filibuster, would the Senator from Missouri have yielded again and again on request with the mere condition that he could resume when Senators had finished? If there had been any such desire to cut off other business from the Senate, would that have happened?

Mr. ROBINSON rose.

Mr. SPENCER. Will the Senator please let me finish? More than that, I said when I started and I repeat now that if the Senator from Montana will defer not only to my request but that which has just been advised by the Senator from Massachusetts, which was indicated by the five members of the Committee on Public Lands and Surveys who signed the report—if he will not insist upon the Senate adopting at this time a report which they can not in the nature of the case have read or considered and which does not carry—

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. SPENCER. Just a moment—and which does not carry a single recommendation that requires immediate action, but is on the table and the Senate has ordered 10,000 copies of it printed for distribution and information—if the mere point of asking the Senate to adopt as its own a report about which in the nature of the case they know nothing, I will yield instantly, and I certainly would not do that if any filibuster was in my mind. More than that, I will say to the Senator from Arkansas that while I regret that the pointing out of some of what seemed to me the mistakes and misstatements and unwarranted inferences of the report I say frankly that they result only from a casual examination. They are not nearly as complete as they doubtless could be, but they are sufficient in number to require some time to state them before the Senate.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. SPENCER. Mr. President, a parliamentary inquiry. In view of the friendly notice which has been served from the other side—

The PRESIDING OFFICER. The Chair will anticipate the Senator and inform the Senator from Missouri that if he yields for any purpose whatever he will lose the floor.

Mr. SPENCER. I am sure that was not the purpose of the Senator from Arkansas.

Mr. ROBINSON. No, indeed. I just wanted to ask the Senator two or three questions.

The PRESIDING OFFICER. The Senator from Missouri will proceed.

Mr. SPENCER resumed his speech. After having spoken for some time.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. SPENCER. I can not yield under the order.

Mr. WALSH of Massachusetts. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state the point of order.

Mr. WALSH of Massachusetts. Earlier in the session the President of the Senate declared that no action on the President's veto message could be taken under the Constitution until the veto message had first been entered on the Journal. I inquire of the Chair if a reading of the veto message is not an entry on the Journal of the Senate?

The PRESIDENT pro tempore. The Chair hardly understands the Senator's point of order.

Mr. WALSH of Massachusetts. I inquire of the Chair if the reading of that message upon the Journal of the Senate is not an entering of that message upon the Journal of the Senate?

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. KING. May a parliamentary inquiry be introduced into proceedings not relating to the subject matter or cognate matters which are being discussed by the Senator who has the floor?

The PRESIDENT pro tempore. The Chair has no control over the address of the Senator or what he is to say or what he is talking about.

Mr. KING. I beg the Chair's pardon. The Chair does not understand what I was stating.

The PRESIDENT pro tempore. Yes, the Chair does.

Mr. KING. The parliamentary inquiry is whether a parliamentary inquiry may be made relative to a matter which is not cognate to the subject under discussion and does not relate to the right of the occupant of the floor to continue.

The PRESIDENT pro tempore. The Chair is of the opinion that a parliamentary inquiry can be made at any time. The Chair is of the opinion, further, without any opportunity to examine the matter, that the mere reading of the President's message is not spreading it upon the Journal in accordance with the Constitution.

Mr. WALSH of Massachusetts. Then, I inquire if the Chair will not make an effort to ascertain whether it has been entered on the Journal.

The PRESIDENT pro tempore. The Senator from Missouri will proceed.

Mr. SPENCER. Commencing on page 27 of the report is a very interesting discussion of two cases against the Southern Pacific Railroad Co. in each of which the Government was a party, having to do with section 36, to cancel a patent for lands adjacent to that section and within the exterior reserves. There were two cases. The question involved in each case was as to whether the land was known to be mineral when its survey was approved. In the one case the decision was for the Government; that is, that the land in question in the United States district case was mineral at the time of the approval of the survey, and therefore the title did not pass to the patentee but remained in the Government. The court of appeals reversed the case and the Supreme Court reversed that decision, as I recollect, and sustained the contention of the Government as decided by the United States district court. The second case was directed to land inside of the reserve and was decided by the district judge, pending the appeal in the first case to the United States Supreme Court, and relying upon the decision of the Circuit Court of Appeals in the first case, which was unfavorable to the Government, the right of the Government was disallowed, and the report goes on to say—and here is where I can not subscribe to the statement of the report, because it is neither a fair nor an accurate statement. The report reads:

No appeal was taken from that decision—

That is true.

though the time for appeal had not expired when the decision of the Supreme Court was rendered in suit No. 1.

It was in suit No. 1 that the Government secured final judgment.

The facts as to the tracts within the reserve involved in suit No. 2 were substantially identical with the facts upon which the Supreme Court ruled that the land involved in suit No. 1 belonged to the United States.

The inference and the argument is, first, that the Department of Justice was clearly derelict in not prosecuting an appeal in case No. 2; and, second, that the facts in the second case were as stated substantially identical with the facts in the first case. The truth of the matter is that in the second case there was fraud and in the other case there was not fraud, which fact differentiates entirely the two cases. In the first case, which was the Elk Hills case, it was found that the railroad company had committed fraud and the case decided favorably to the United States because the railroad company had committed fraud, whereas in the second case the decision was in favor of the railroad company because it had not committed fraud. Senator DILL asked this question when Mr. Palmer was before the committee:

In the Elk Hills case there was fraud?

Mr. PALMER. Yes, sir.

Senator DILL. In the Southern Pacific case there was fraud?

That is case No. 2. The witness replied:

It was purely a question of fact as to whether the Government had established fraud on the part of the railroad company

When it came to the wisdom of taking the appeal in the second case the Attorney General, Mr. Palmer, stated that he could not consistently take an appeal to the Supreme Court in that case. (P. 2400.)

I ask what object is there, what purpose can be served in asking the Senate of the United States to adopt the report and

say in effect: "The Senate of the United States hereby decides that the Attorney General of the United States, Mitchell Palmer, ought to have taken an appeal, and if he had taken an appeal the questions in the two cases, the one in which he did not take an appeal and the one in which an appeal was taken, being identical, the Government would have won both cases." The statement is not borne out by the facts. It is beyond our function. There is no need for it. It is going outside of anything that has to do with the legitimate purposes of the committee. I do not like it.

On page 30 the question of the employment of the marines in evicting certain trespassers on Teapot Dome is severely criticized. I do not doubt but what the criticism is somewhat warranted, and yet I call the Senate's attention to this fact. The custom in the oil fields and mining region since the inception of the mining law has been for the man in possession to retain his physical possession by physical action against the trespassers.

There are those in the Senate like the Senator from Arizona [Mr. ASHURST] and others who are familiar with mining law who well understand the practice, since the mining law was first established that the man in possession by physical means prevented dispossession by trespassers. This places the burden of proof upon the trespasser. This view of the law is consistently supported everywhere in the mining region. Had the Mammoth Oil Co., which was then actually in possession, held wholly under placer mining title, they would have immediately proceeded to have thrown the Mutual Co. off when they sought to trespass; if the Mammoth Oil Co. had had an undisputed right there, a title to the land, or a placer mining right, they would have acted against the trespassers themselves; but because the Mammoth Oil Co. was holding under a lease from the Government they were afraid to do this for fear of getting into difficulty with the Government itself. They immediately brought the matter to the attention of the Government, when the trespassers thus invaded the right of the Government lessee, and they said to the Government, "Here we are; we are your lessee; we are on the land; we are fulfilling our contract; we are paying our royalty; and here are trespassers who are coming on this land which we have leased from you." It was then up to the Government either to throw the trespassers off by physical means or to authorize the Mammoth Oil Co. to do it. This was the situation which seemed to warrant the use of the marines. I do not defend it, but the statement in the report is a conclusion with which I do not entirely agree.

I call the attention of the Senate to one or two more things in connection with the lease, and I shall hasten to a conclusion as quickly as I can, for, Mr. President, I should like again to say, as I said when I began, that I regret as much as any man in the Senate the time that I have taken up on a subject which is not interesting to a majority of Senators. I can not, however, let the majority report come before the Senate for possible adoption without calling the Senate's attention to what I believe are some of the many mistakes and misstatements, which doubtless can be corrected and which ought to be corrected in any report that is finally adopted by the Senate. More than this, if there had been any emergency, if there were any recommendations in the report that needed action, I should not have interposed objection, and I certainly have no intention to filibuster in these closing hours of this session.

On page 32, beginning in the second paragraph, there is this statement, to which I refer very briefly and leave it:

Your committee can not believe that a lease under which the Government receives 6 per cent of the oil in the ground and the lessee gets 94, including what it receives on account of the construction of tankage, can possibly be in the interest of or just to the former.

That is an unfair statement. That leads any Senator or any other reader to the conclusion that out of these leases the Government gets 6 per cent and the lessee gets 94 per cent. That is not the fact. The average royalty of oil leases is about 12½ per cent, but in the naval oil reserve No. 3 lease the Government gets about 17 per cent—three times as much as the report indicates to be the Government's share.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House receded from its disagreement to the amendments of the Senate numbered 37 and 39 to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, and concurred therein; that the House insisted upon its disagreement to the amendments of the Senate

numbered 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 58, and 59 to the said bill; agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MADDEN, Mr. ANTHONY, and Mr. BYRNS of Tennessee were appointed managers on the part of the House at the further conference.

The message also announced that the House had passed the bill (S. 2797) to authorize the payment of claims under the provisions of the so-called war minerals relief act, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed bills and joint resolutions of the following titles:

S. 2265. An act to provide for a rearrangement of the public alley facilities in square 616 in the District of Columbia, and for other purposes;

S. 2694. An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes;

S. 3397. An act to remit the duty on a carillon of bells to be imported for the Church of Our Lady of the Rosary, Providence, R. I.;

S. J. Res. 43. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War; and

S. J. Res. 146. Joint resolution to amend section 13 of the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and the field service."

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

S. 2257. An act to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended;

H. R. 1414. An act to authorize the payment of certain taxes to Stevens and Ferry Counties, in the State of Washington, and for other purposes; and

H. R. 8578. An act to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended.

LEASES UPON NAVAL OIL RESERVES

The Senate resumed the consideration of the motion of Mr. WALSH of Montana to adopt the report of the Committee on Public Lands and Surveys, submitted pursuant to Senate Resolution 147.

Mr. PHIPPS. Without taking the Senator from Missouri from the floor, I should like to ask unanimous consent for the present consideration of the amendments to the Senate bill which have been made by the House of Representatives.

The PRESIDENT pro tempore. Does the Senator from Missouri yield?

Mr. SPENCER. I do not yield.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. SPENCER. I say again that if I may have unanimous consent to resume the floor I will yield with pleasure to the Senator from Colorado.

Mr. McKELLAR. I object.

Mr. SPENCER. Mr. President, it is not a fact that the Government receives but 6 per cent royalty and that the lessee receives 94 per cent, which is the natural inference to be drawn from the reading of the report. The fact of the case is that the Government actually receives about 17 per cent of the oil in naval reserve No. 3 and 27 per cent of the oil in naval reserve No. 1. The Government suggested when framing the contract that when it came to the payment of the royalty oil it did not want it all in oil, but that it wanted a part of it used for the purpose of building storage tanks which the Government should own and in which the naval oil should be stored.

So, pursuant to that contract, the lessee when it got the oil out of the ground gave one-third of the royalty oil to the Government in fuel oil, as the Government desired, and used the other two-thirds of the royalty to liquidate the building of tanks for the Government, as the Government requested. Those tanks have now been largely built and are being completed, and in them, as I said a moment ago, 1,500,000 barrels of oil are stored at Pearl Harbor, in the Hawaiian Islands, and 2,400,000 barrels more will be stored there in the near future after the additional tanks shall have been completed. That has doubled

the efficiency of the Navy and has made it a power in world matters which it never could otherwise have been.

How unfair, then, it is even to attempt to indicate that under these leases 6 per cent comes to the Government "and the lessee gets 94 per cent, including what it receives on account of the construction of tankage." It is an unfair statement.

Again, on the same page, the statement is made:

If the Secretary of the Navy consulted with anyone competent from experience in affairs of such magnitude to advise him concerning the terms of the lease, viewed as a business proposition, the fact was not divulged.

That statement is corrected somewhat a little later, but it is grudgingly done, as I shall show. As a matter of fact, the Secretary of the Interior from the beginning was in constant conference with whom? With the Bureau of Mines, which, by reason of its geological and mining skill and equipment, was best qualified to advise him. Yet the report states:

If the Secretary of the Interior consulted with anyone competent from experience in affairs of such magnitude to advise him concerning the terms of the lease, viewed as a business proposition, the fact was not divulged. Evidently he conceived himself quite competent unaided to negotiate with such veterans in the oil business as Sinclair and Doheny. It is true he conferred with officials of the Bureau of Mines, technical men not chosen by reason of their skill or success in business.

The Senate of the United States is asked to indorse and to adopt those conclusions which are thrown into the report. It is intimated that with such experts as Sinclair and Doheny on the one side the Secretary of the Interior, without any advice or cooperation from anybody else, would have a hard time of it; when, as a matter of fact, the leases, according to the best evidence that we could get from unprejudiced sources, are the best leases the Government ever secured and, so far as the character of the leases themselves is concerned, they are of inestimable advantage to the Government of the United States.

Evidently the conscience of whoever wrote the report operated before he finished the paragraph, for at the end of the paragraph, after having stated that—

If the Secretary of the Interior consulted with anyone * * * the fact was not divulged. * * * Evidently he conceived himself quite competent unaided to negotiate with such veterans in the oil business as Sinclair and Doheny—

Grudgingly this is added:

It is true he conferred with officials of the Bureau of Mines, technical men, not chosen by reason of their skill or success in business.

There is no Senator who has had any dealings with the Bureau of Mines who does not know what competent men there are in that bureau and what a competent bureau it is. What is the object of asking the Senate of the United States to slur, insult, to cast a reflection upon the Bureau of Mines, which has had in it such men as W. A. Williams, Chester Naramore, J. O. Lewis, A. W. Ambrose, F. B. Tough, men of high standing, whose opinions were always sought. When the committee wanted experts to go to the Wyoming field and give us an opinion in regard to those Teapot Dome leases upon which we could rely, where did we go? We took Mr. Lewis from the Bureau of Mines, because he and Mr. Clapp were the best men the committee could find in the United States. And now, because the Bureau of Mines on certain matters does not quite agree with the senior Senator from Montana, he wants the Senate to adopt in a report, which no Senator has had the opportunity to read or consider, the statement that while the Secretary of the Interior consulted with the Bureau of Mines, yet they were "not chosen by reason of their skill or success in business." I say it is unfair. I do not hesitate to say before leaving that subject that that paragraph alone would subject this report to ridicule by every competent oil man in the country; that it would stamp upon it the evidence of partisanship and unfairness; and that it would make it the subject of contempt that any man would attempt to cast such ridicule upon the Bureau of Mines and make such statements as are contained in the paragraph which I have just quoted.

Now, Mr. President, I call the attention of the Senate to the first paragraph on page 32.

A disposition is evinced—

Says the report—

in some quarters to dismiss or overlook the very suggestive circumstances shown in the hearings indicating corruption in connection with the Sinclair and Doheny leases, the flagrant disregard of the law and the unwarranted assumption of authority that attended their execu-

tion, the abandonment of the settled policy of the Government evidenced by them—

When the whole result of the hearings indicates that there was no established policy of the Government that was abandoned.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. SPENCER. I can not yield, under the ruling of the Chair. I will yield if I may have unanimous consent to resume when I have yielded. In that event I will do so with pleasure. The PRESIDENT pro tempore. The Senator declines to yield.

Mr. SPENCER. There was no settled policy of the Government. It was shown in evidence that under the administration of Secretary Daniels, when he executed leases and took oil out of the ground, he did it for the immediate use of the Navy. The present administration has taken oil out of the ground and stored it for use by the Navy as it may become necessary in an emergency, but not for immediate use. The questions of law that are involved in connection with these leases, and in regard to which the report says that they were granted in "flagrant disregard of the law," are now before the courts. I am talking to many men who are lawyers of standing and distinction. This report seeks to have the Senate of the United States declare that the legal propositions involved in those leases were flagrant disregards of law. They are doubtful propositions. Every one of them is submitted before the courts of the law now for decision, and the courts of the law alone are competent to decide them, not the Senate of the United States.

On page 32 there is a paragraph headed—and I comment upon this very briefly—"The leases as good bargains," and then there follows a more or less extensive criticism—

Mr. ASHURST. Mr. President, I rise to a point of order, not with any disposition to take the Senator off the floor.

The PRESIDENT pro tempore. The Senator will state the point of order.

Mr. ASHURST. I understand that under the rule a Senator may speak twice on the same day. Therefore, if the Senator from Missouri should yield, and business should intervene, he would be entitled to be recognized again, because he could speak twice, and a question would not take him off the floor unless he had spoken twice.

The reason why I raise this point is because some conference reports and some bills, especially the motion made by the Senator from Colorado [Mr. PHIPPS], require attention. They are bills that ought to be attended to and disposed of. Therefore I say to the Senator, my view of the rule is that a Senator has a right to speak twice, and a question would not take him off the floor until he had spoken twice.

Mr. SPENCER. Does not the Senator from Arizona think I have spoken quite long enough instead of speaking twice? I would much prefer to quickly conclude, as I hope to do.

Mr. ASHURST. With that illuminating and gratifying hope I will not say anything more.

The PRESIDENT pro tempore. The Chair does not yet exactly understand the point of order.

Mr. SPENCER. I do not know whether it is as illuminating to me as it is to the Senator from Arizona, but it is quite as gratifying, because, I say again, as I draw to a close in connection with this report, that I regret more than I can express what seems to me the duty that has been imposed upon me by the insistence of the senior Senator from Montana that the Senate should at once act upon a report of great importance and with which they are entirely unfamiliar and which, as I have shown, is inaccurate and unfair.

Senators, the question before us is a report that we are asked to adopt. I have indicated some reasons why I think the report is inadequate and inaccurate, and its conclusions of law and fact unwarranted. I want to say again that there is not a single recommendation in that report upon which the Senate is requested to act. There is merely a determination of the senior Senator from Montana that the Senate shall adopt that report, which no Senator has read.

Mr. President, if the Senate will read the report and then sees fit to stamp its approval upon the inferences and conclusions and reflections contained in it, it is the Senate's privilege so to do, but to ask the Senate to adopt it without any opportunity to examine it is most unfair. I regret the time I have taken. I shall yield the floor in a moment. The observations I have made are but a sample of the mistakes and misstatements that can be shown in the report, and which ought to prevent its adoption by a Senate which has had no time to examine it.

REPORT OF THE INDIAN AFFAIRS COMMITTEE

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (H. R. 8086) to amend the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1915," approved August 1, 1914, reported it without amendment and submitted a report thereon.

ENROLLED BILL PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on June 7, 1924, that committee presented to the President of the United States the enrolled bill (S. 2257) to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended.

LEASES UPON NAVAL OIL RESERVES

Mr. NORBECK. Mr. President—

The PRESIDENT pro tempore. The Senator from South Dakota.

Mr. NORBECK. I move that the Senate now take up Order of Business No. 733, House bill 7269, to authorize and direct the Secretary of War to transfer certain materials, machinery, and equipment to the Department of Agriculture.

I will state that this is a bill to authorize the disbursement of some surplus war material. The bill passed the House unanimously after a delegation of the House committee had gone to these army camps and looked them over. The Senate committee wanted to be conservative, and they cut down the quantity a great deal. I am sure there is no one in the Chamber who objects to the taking up of this bill. I ask unanimous consent that it be now taken up and considered.

Mr. WALSH of Montana. Mr. President, I am sure we can have a vote on the matter pending before the Senate in a few moments.

Mr. NORBECK. I move that we now take up the bill to which I have referred.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. KING. As I understand, there is now pending before the Senate the report submitted by the Senator from Montana, and the question before the Senate is the adoption of that report. The parliamentary inquiry is, May that be set aside by a motion of the character just submitted by the Senator from South Dakota?

The PRESIDENT pro tempore. Undoubtedly the Senate can take up any measure that it pleases to take up.

Mr. WALSH of Montana. Mr. President, touching the motion made by the Senator from South Dakota, I desire to say that I do not feel it at all necessary to continue the debate on the pending motion. The observations of the Senator from Missouri [Mr. SPENCER] have not convinced me that there are any essential misstatements of fact in the report. I have no disposition to make any corrections upon the suggestions made by him nor to suggest any corrections to the Senate.

The observations of the Senator from Missouri are in the nature of a defense of these leases. Quite a long while ago the junior Senator from Alabama [Mr. HEFLIN] insisted that sooner or later some one on the other side of the Chamber would get up and defend these leases. The Senator from Missouri has assumed that task.

The general facts are well known to the Senate. I do not care to submit anything further. I ask for a vote; and if the Senator from South Dakota insists upon his motion to proceed to the consideration of the bill to which he refers, I am going to ask those who are desirous of adopting this report to vote that motion down, and then take a vote on the report, and then proceed to the consideration of the bill referred to by the Senator.

Mr. NORBECK. Mr. President, not only do I desire to take up the bill to which I have referred, but I desire to move the Bursum bill as an amendment to it after we get it up.

Mr. KING. Mr. President, that will lead to some debate.

Mr. WALSH of Montana. I desire to say further that I am heartily in favor of the bill referred to by the Senator from South Dakota and desire to see it passed, but I do not think the matter before the Senate ought to be displaced. Why should we not get a vote on it, and then proceed to the consideration of the bill spoken of by the Senator from South Dakota?

Mr. NORBECK. This is the last and only chance to do something in the way of equity toward the wheat farmers who were robbed during the war by Government interference and by the Government taking their profits away from them.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from South Dakota.

Mr. OVERMAN. Mr. President, I have been sitting here for several hours, waiting to discuss the financial condition of this country, which I think Senators ought to know, and I suppose this is the only time we will have, if we are going to have—as is evidently the case—a filibuster against the adoption of the report of the Senator from Montana. That is evident to everybody. Therefore I am going on to discuss this question right now.

Mr. HARRISON. Mr. President, who has the floor? Will the Senator who has the floor allow me to submit a request for unanimous consent?

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. NORBECK] has the floor. Does he yield to the Senator from Mississippi?

Mr. NORBECK. I do.

Mr. HARRISON. I ask unanimous consent that we take a vote now upon this report, and, immediately following that, that we take up the bill in which the Senator from South Dakota is interested.

Mr. LODGE. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

Mr. LODGE. If Senators want a vote on the bill of the Senator from South Dakota, do not let them mix it up with this other matter.

Mr. OVERMAN. Mr. President, the motion of the Senator from South Dakota is debatable.

The PRESIDENT pro tempore. Undoubtedly.

Mr. OVERMAN. Therefore, I rise to debate it.

The PRESIDENT pro tempore. The Senator from South Dakota has the floor.

Mr. OVERMAN. Will the Senator yield to me? I am for his bill.

Mr. NORBECK. If the Senator is going to be brief, I will yield with the understanding that I do not yield the floor.

Mr. PITTMAN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. PITTMAN. If the Senator makes his motion, is he going to address himself to it, or is he going to stand there and keep the floor without speaking?

The PRESIDENT pro tempore. The Senator from South Dakota has moved to take up a certain bill.

Mr. PITTMAN. I say, if he does not desire to discuss it, there are others who do. I am propounding a parliamentary inquiry as to whether the Senator from South Dakota is holding the floor to discuss his motion or not. If he wants to discuss it, of course, that is his right.

Mr. OVERMAN. I do not intend to take the Senator off the floor.

The PRESIDENT pro tempore. The motion is debatable. Every Senator in the Chamber will have an opportunity to debate it if he so desires.

Mr. NORBECK. Mr. President, in reply to the question, I will state that I should like to speak upon this matter a while; but I will yield to the Senator from North Carolina for a moment, with the understanding that I do not yield the floor.

Mr. OVERMAN. Mr. President, I do not intend to be long, because I recognize the fact that Senators have matters here that ought to be brought up, and I recognize the fact that two very important appropriation bills have to be settled this evening, if settled at all; and therefore I am not going to speak at any length. Let the Senator go ahead if he wants to, and I will get the floor next.

The PRESIDENT pro tempore. The Senator from South Dakota is recognized.

TRANSFER OF MACHINERY, ETC., TO AGRICULTURAL DEPARTMENT

Mr. NORBECK. Mr. President, I intend to offer an agriculture relief measure as an amendment. This was drafted by Congressman WILLIAMSON, who has never been too tired and never too busy to assist in agricultural relief. The measure is along the line originally suggested by the Senator from New Mexico [Mr. BURSUM], whose energy and resourcefulness has been a marvel to us all and who has worked tirelessly for the relief of the farmers and the ranchmen of his State. It also embodies one or two important features suggested by Congressman SUMMERS, of Washington.

Mr. President, I propose to offer the following as an amendment to House bill 7269:

TITLE II

TO ENCOURAGE AND PROMOTE THE SALE AND EXPORT OF AGRICULTURAL PRODUCTS GROWN WITHIN THE UNITED STATES

That out of funds heretofore appropriated and now in the custody of the War Finance Corporation the President of the United States is authorized and directed to pay (a) 35 cents per bushel bounty on each

bushel of wheat grown in the United States and exported therefrom and a proportionate bounty on all products manufactured wholly from wheat: *Provided*, That such products are manufactured within the United States from wheat grown therein; (b) 15 cents per bushel bounty on each bushel of corn grown in the United States and exported therefrom and a proportionate bounty on all products manufactured wholly from corn: *Provided*, That such products are manufactured within the United States from corn grown therein.

SEC. 2. It is hereby provided that whenever the President of the United States finds that the importation of wheat or corn, or their derivatives, may interfere with the operation of this act, or enhance the expense of the United States thereunder, he shall so proclaim it. Thereafter it shall be unlawful to import into the United States wheat or corn, or their derivatives, except under such regulations and limitations as the President shall prescribe in his proclamation.

SEC. 3. All powers necessary for the proper administration of this title are hereby conferred on the President of the United States.

SEC. 4. This title shall remain in full force and effect from July 1, 1924, and until December 1, 1925.

Mr. President, I want to again remind the Members of this Senate that during the war every commodity was permitted to seek its natural price level except that of wheat. The Government not only depressed the market by interference but actually fixed the price much below the prevailing market. Not only that, but when the Government Grain Corporation had a monopoly in the handling of grain it took out a profit of more than \$50,000,000, which was not returned to the wheat growers.

It is proposed in this measure to redistribute that profit to the wheat producer and do it in a way that will bring up his price as near as possible to that of its pre-war purchasing value for one year.

Mr. President, it is proposed that the Government pay an export bounty of 35 cents per bushel on wheat. The Agricultural Department's head advised me that, based upon the records for last year, the cost of such a bounty would be \$48,000,000. It is believed that the domestic price will naturally follow that of the value of wheat exported. Therefore, it will bring an increase of about 35 cents per bushel to the wheat farmer on all the wheat sold, both in foreign and domestic markets.

The objection has been raised that this will increase the cost of flour and the cost of bread. It is admitted that it will increase the cost of flour. But, Mr. President, the cost of bread was just as high when wheat was \$2 per bushel as now. Therefore, it need not increase the price of a single loaf of bread in the United States.

This measure also provides for an export bounty of 15 cents per bushel on corn. We export a very small percentage of our corn. To have paid such an export bounty on the exportations for last year would have cost the Government only \$4,000,000.

The money to be used in the payment of bounties will not be a burden upon the taxpayer. The Government took the money away from the farmers. This measure proposes to return it to them in the shape of bounties to be paid.

This bill is not permanent agricultural relief. It will not bring the farmer's dollar back to par, but it will be temporary relief for the producers of wheat and corn; and it is generally admitted that if corn sells at a higher price, it will result in better prices for pork and beef.

Since the defeat of the Christopherson stabilization bill I have become a firm believer in the principles of the McNary-Haugen bill, which proposes to bring all staple farm products back to their pre-war purchasing power. But the McNary-Haugen bill has been rejected by this Congress. I admit I am much disappointed over the way it has been handled. When I tried to bring it up I was told that the parliamentary situation was such that it ought to be brought up first in the House, but Democratic Senators joined with Republican Senators, including the Senator from Oregon [Mr. McNARY], and insisted that it be not a rider to the pet bill of Secretary Mellon, the so-called "tax reduction" bill, that does not reduce the taxes of the farmer.

Many Senators here, including my colleague, Senator STERLING, and Congressman ROYAL C. JOHNSON, had farm relief bills ready to urge, but held back, as they did not want to complicate the situation. They sought, first of all, to get support for the McNary-Haugen bill. When that was defeated we were near the close of the session. This measure I now propose is the last and only chance to secure even partial farm relief at this session, as Congress will now adjourn in a few hours—adjourn before its work is completed. I protested against the adjournment, but the date was fixed as per arrangement between the leaders of the Democratic Party and the leaders of the Republican Party. The South and the East

got together, and the Senators from the Northwest, who voted against adjournment, found themselves outnumbered.

I regret that the time is virtually being spent in filibustering and the last few precious hours are being taken up by Democratic Senators, who are speaking on subjects that are not even before the Senate for consideration. If you persist in using up the time, you are preventing farm relief legislation. The responsibility is not upon the Republicans this time, for the majority of them are in favor of this measure, but there is no chance to get a vote on same as long as these filibustering speeches continue.

The question before the Senate is my motion. Mr. President, it is a question whether the farmer shall receive as much for a 14-hour day as others do for an 8-hour day. It is a question whether he shall be able to exchange a day's labor with anybody. Do not talk about the law of supply and demand as though it still operated. The farmer knows nothing about its operation when he buys supplies or pays for service. He only finds that law in operation when he sells his products in competition with the cheap land and the cheap labor of the world.

If this measure reaches the House as a Senate amendment to a House bill, the House will concur. There will be no opposition to it. I want the Senate to realize that fact.

Mr. HEFLIN. Mr. President, what is the amendment the Senator wants put on?

Mr. KING. Does the Senator—

Mr. HEFLIN. What is the amendment?

Mr. NORBECK. It is printed and is on the desks of Senators.

Mr. KING. I want to ask the Senator whether it is his purpose merely to use the resolution which he is now moving to consider as a vehicle to carry through some other measure which may take a large amount of money out of the Federal Treasury?

Mr. NORBECK. I announced to the Senate three hours ago that when any bill was brought up to which this could be offered as an amendment I would offer it. The motion is now to take up a bill distributing some surplus war material, and if that is taken up I will offer this agricultural relief measure as an amendment to that.

SEVERAL SENATORS. Vote!

Mr. KING. Oh, no; no vote.

Mr. ASHURST. Will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator yield?

Mr. NORBECK. I yield the floor.

APPROPRIATIONS AND EXPENDITURES

Mr. OVERMAN. Mr. President, I am in favor of the bill the Senator has been advocating, except the rider. I am not going to stand for a vote at this late hour for some rider on a bill that appeals to me because it appeals to the farmers. It is better for us to consider it, and everybody knows that. But the country ought to know what we have been doing here and what the financial condition of the country is. I propose, therefore, to make a very short statement in regard to that matter.

Statements are issued by the Treasury Department every month, but the people can not understand them, they are so mixed up.

On the 22d of April last I wrote to every member of the Cabinet in Washington and asked him to furnish me with a list of persons who were employed by this Government under the Democratic administration in 1915. I selected that year, although the war was being talked about in this country and preparedness was being discussed, and much money spent for that purpose, but I thought 1915, during the Wilson administration, was a good year to compare with 1924, in this administration.

Each Cabinet officer did me the courtesy—and I thank them for it—of sending me an itemized statement showing the number of persons employed by the Government in 1915 and in 1924, and it is a remarkable fact that, not counting those employed in the Shipping Board, not counting the large number of officeholders in the War Finance Corporation, or the Veterans' Bureau, because it is unfair to consider them, and I try to be as fair as possible, and only take those departments which are run very much as they were run in 1915, from the reports of the Cabinet officers, there are employed to-day, in excess of the number employed in 1915, 108,051 officeholders, and averaging each one at \$1,800, that represents an expenditure of \$194,491,800.

I tried to be fair, not taking any of the war bureaus, but taking only the departments themselves, and appealed to the Cabinet officers to send in this list. It shows that in the Department of Justice there were 2,000 more employed than in 1915; in the Interior Department, 2,300 more. I am reading

only the round figures, and I will ask that this statement go into the Record as an appendix to my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

[See Appendix 1.]

Mr. OVERMAN. In the Post Office Department there are 52,000 more; in the Department of Labor there are 55 more; in the Navy Department there are 10,000 more; in the Treasury Department there are 28,000 more; in the Department of Commerce there are 2,083 more; in the Department of Agriculture there are 4,000 more; in the War Department, in time of peace, there are 8,000 more, and in the State Department there are 1,800 more. I will do justice to the Secretary of State by saying that he has had to have a good many more officeholders because of the new passport regulations, which really grew out of war, and I ask to have his letter printed as an appendix to my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

[See Appendix 2.]

Mr. OVERMAN. The total amounts to 108,000 more officeholders.

Mr. MCKELLAR. Mr. President, what is the total number of officeholders?

Mr. OVERMAN. I have not added up the figures. There are over five or six hundred thousand, perhaps more than that. The increase over 1915 in these officeholders, not in bureaus which were established growing out of the war, but in the legitimate work of the departments, is 108,000. I stated early in the session, as some may remember, that the Congress was spending money like drunken sailors. That is an extravagant statement, of course, but we do not seem to consider the taxpayers in our appropriations. We do not seem to care anything about them. You can get any sort of a bill through this body which calls for the expenditure of money. Not counting the bonus, not counting the Veterans' Bureau, not counting the Shipping Board, we are spending to-day a billion dollars more than we spent in 1915. The Senator from Utah smiles.

Mr. SMOOT. Yes; I do.

Mr. OVERMAN. I have testimony here to show that, aided as I was, by an expert in the Treasury Department, and I ask to have this table put in the Record as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

[See Appendix 3.]

Mr. OVERMAN. This shows the regular annual appropriation for 1925 for the Departments of Commerce, of Justice, of Labor, of the Navy, of the Post Office, State, and Treasury, taken from the acts as approved by the President, but the figures for 1925 were taken from the bills as passed by the Senate up to June 2, 1924. I want to say, however, that what is known as the second deficiency or the second urgent deficiency bill is not counted in this statement, because the bill has not passed, and I do not know what it will amount to. I know it will amount to over \$158,000,000, the bill which is to come over from the House for the consideration of the Senate, for the bill ought to pass. There is a difference now between the two bodies, and I am sorry to see it, but I am heartily in favor of the Senate standing by what it did. We will have another meeting of the conference committee, probably, and I hope we can agree. I do not know, but even as it passed the House it carries \$158,000,000, and the bill will be here directly.

Mr. MCKELLAR. Mr. President, will the Senator yield?

Mr. OVERMAN. Certainly.

Mr. MCKELLAR. The Senator gives us the startling information that the increases in the ordinary expenses of the departments of the Government amount to a billion dollars?

Mr. OVERMAN. The increase in the number of officeholders is 108,000.

Mr. MCKELLAR. What I want to ask is whether these tremendous increases have all occurred under the rule of the Budget?

Mr. OVERMAN. Many of them have. But I am not going to reflect upon the Budget. I do not think I am called upon to cast any reflection on those splendid gentlemen. They are fine men, and do what they believe to be their duty.

Mr. MCKELLAR. The men are all fine men, but the system is bad. It just adds that many more officeholders to draw pay from the Government.

Mr. OVERMAN. I agree with that. I am fully in accord with that, and took that position before the bill establishing the Budget was passed.

The tax table does not include the expenses for the Shipping Board or the Veterans' Bureau. Deducting the war expenses, which were:

Sinking fund.....\$310,000,000
Interest on the public debt.....890,000,000
Public-debt redemptions payable from ordinary receipts...172,000,000

The total amount of increase of appropriations for 1925 over 1915, less war expenses, was \$2,223,739,886.50.

Deducting from that the war expenses, which it is not fair for me to include in this statement, of \$1,372,277,977, we have the grand total of \$951,462,909.

Mr. SIMMONS. Mr. President, I ask for order in the Senate. The Senator is making a very valuable statement, and ought to be heard.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. OVERMAN. Senators usually do not care anything about this question, or many of them do not. The time has come, I think, for economy and reform. We do not hear that any more, but Senators just go on making appropriations of all sorts, kinds, and characters. The truth is that Senator Aldrich was right when he said that \$300,000,000 could be saved by the discharge of officeholders. I think \$500,000,000 at least could be saved now. This table itself shows where \$194,000,000 could be saved.

The second deficiency bill, as I said, will amount to about \$158,000,000. That is what it will be if it passes, and I hope it will pass. That will make a grand total of \$1,109,462,909.

I have had an expert from the Treasury Department aiding me, and I have gone over these items with him, and he has furnished me this list, so I do not think there can be any mistake about it.

In the legislative department the excess is \$322,376. In the Executive Office the excess is \$389,000; but all these figures I am reading are over and above the figure of 1915, when Wilson was President of the United States.

The increase for the Agricultural Department is \$37,153,000; Commerce Department, \$12,000,000; Interior Department, \$72,000,000; Department of Justice and the judiciary, \$10,000,000; Labor Department, \$4,000,000; Navy Department, \$138,000,000.

Mr. President, I do not understand in time of peace how the War Department and Navy Department can have such great increases both in number of officers and amount of money spent. Since the end of the war and the treaty with Japan, Great Britain, and France, why is it that we have to have so many officers? Why is this great increase over 1915? At that time we were talking about preparing for war and probably added a good many employees on that account. Since peace was declared they are still increasing, although we hear the Senator from Utah [Mr. Smoot] talk about how many thousands and hundreds of thousands of officeholders have been discharged, and how much money has been saved. That is on account of the war. Of course, we have discharged hundreds of thousands of officeholders. Of course, we have saved millions and millions of dollars. We had to do it. There was no use to spend money, because the war was over. In all of the matters which I am bringing to the attention of the Senate I have deducted the activities of the war. I have deducted the Veterans' Bureau, which has cost millions; I have deducted the Shipping Board, and all those activities growing out of the war; and still we have these vast totals, still we see these wonderfully monstrous extravagances of the administration in the way they are spending and in the number of officeholders being appointed.

APPENDIX 1

Comparison of the personnel of the departments for 1915 and 1923

Department	1915	1923	Decrease (-) or increase (+) 1923 compared with 1915
Department of Justice.....	8,095	10,423	+2,328
Interior Department.....	19,455	17,092	-2,363
Post Office Department.....	298,085	350,764	+52,679
Department of Labor (the 1923 figures do not include 687 persons with the department at a nominal salary of \$1 per year).....	2,193	2,248	+55
Navy Department.....	30,274	40,599	+10,325
Treasury Department.....	30,984	59,937	+28,953
Department of Commerce (the 1915 figures do not include 966 temporary employees).....	9,389	11,472	+2,083
Department of Agriculture.....	16,223	20,261	+4,038
War Department.....	42,029	50,110	+8,081
State Department.....	2,134	4,006	+1,872
Total.....	458,861	566,912	+108,051

108,051 employees at an average salary of \$1,800 per year equals an expenditure of \$194,491,800.

APPENDIX 2

DEPARTMENT OF STATE,
Washington, May 10, 1924.

The Hon. LEE S. OVERMAN,
United States Senate.

MY DEAR SENATOR OVERMAN: In reply to your letter of April 22, 1924, I am pleased to inclose herewith a memorandum showing the number of employees in the Department of State in Washington and in the field for the years 1915 and 1923. It will be noted that the number of employees in the field for 1915 has been approximated, as under conditions existing at that time it was impossible for the department to ascertain the exact number of employees in every office abroad on any given date. The number given may be considered as sufficiently accurate for all practical purposes.

At the risk of exceeding your request I desire to mention a few important facts which are illustrative of the increasing responsibilities of this department.

In 1915 we maintained abroad a total of 41 embassies and legations, whereas the number is now 53.

As an index to the growth of consular activities the total of consular fees collected for 1915 was \$1,498,029.80, whereas for 1923 it was \$6,805,470.81, a difference of \$5,307,441.01.

In 1915 there was no passport visé control, whereas in 1923 the Consular Service viséed 408,671 alien passports and rendered 90,586 passport services to traveling Americans.

In the Department of State in 1915 there were issued 23,119 passports, whereas in 1923 the number was 125,656.

I am sorry not to have figures covering the number of entries and clearances of American vessels from foreign ports for 1915, but you are aware of the fact that at that time there were very few American vessels on the sea, whereas in 1923 there were 20,635 arrivals at American consular posts.

In the matter of bills of health issued to vessels clearing for the United States in 1915 the fees from this source amounted to \$87,956.13, whereas in 1923 they amounted to \$116,608, the fee for this service remaining the same.

Even in the matter of consular invoices covering shipments of merchandise to the United States the fees in 1915 were \$1,236,810.91, whereas in 1923 they were \$1,962,026.80, an increase of \$725,215, representing roughly 300,000 additional services.

As of possible interest I inclose a printed card giving details of the activities of the Consular Service for the fiscal year 1923. I also inclose a significant picture showing the increase of work in the Consular Service by a contrast in the volume of bound correspondence for the years 1908 and 1909 as compared with 1918 and 1919 at an average consulate.

It is needless to mention to you that the increase in important international problems to be handled, both as regards their complexity and their number, is more than commensurate with the significant growth of routine duties to which I have referred.

This increase has added greatly to the activities and responsibilities of the Diplomatic Service upon which the Government must rely for the receipt of accurate and prompt information regarding political tendencies and developments abroad. Furthermore, the vast expansion since the war of our commercial interests in foreign countries has greatly increased the demands made upon the Diplomatic Service to afford protection and proper assistance to American commercial interests.

I trust that this information will fully cover the purposes of your request.

Very sincerely yours,
3 inclosures.

CHARLES E. HUGHES.

Number of employees of the Department of State in Washington and in the field during the years 1915 and 1923

October 21, 1915:	
Number of employees in the field	1,821
Number of employees in the District of Columbia	213
Total	2,134
December 31, 1923:	
Number of employees in the field	3,428
Number of employees in the District of Columbia	578
Total	4,006

One way of marking the changing times: A small stack of books—seven volumes—shows the correspondence of the American consulate at Mazatlan, Mexico, during the years 1908 and 1909; another stack of 32 volumes shows the correspondence for the years 1918 and 1919. In this decade the number of visitors increased about 100 per cent.

¹ Estimated and does not include contingent employees.

² Included 213 permanent employees and estimated number of temporary employees.

Partial list of services performed by American consular officers during fiscal year ended June 30, 1923

Protection and welfare cases	75,309
Deaths of Americans abroad	1,285
Estates settled	1,037
Registration of Americans	6,530
Passport services (Americans)	90,586
Passport visés (aliens)	408,671
Section 6 certificates (Chinese)	1,253
Depositions and commissions	736
Extradition cases	56
Marine protests	5,933
Seamen shipped	28,764
Seamen discharged	22,750
Seamen deserted	2,853
Seamen deceased	129
Seamen relieved	3,981
Voluntary trade reports	16,601
Called-for trade reports	10,598
Replies to trade inquiries	55,502
Trade opportunities (about)	4,000
Disinfection certificates	8,307
Notarial services	167,764
Consular invoices	806,817
Landing certificates	2,889
Bills of health	39,459
Sanitary reports	15,158
American vessels entered	20,638
American vessels cleared	20,506
Miscellaneous correspondence:	
Letters received	904,601
Letters sent	1,007,438
Total fees collected for years 1922-23	\$6,805,470.81
Gross cost of Consular Service, 1922-23	4,685,060.88
Net gain to the Government	2,120,409.93

APPENDIX 3

The regular annual appropriation figures for 1925 for Commerce, Justice, Labor, Navy, Post Office, State, and Treasury were taken from the acts as approved by the President, but all other regular annual appropriation figures for 1925 were taken from bills as passed by the Senate up to June 2, 1924, and prior to action by conferees.

Deficiencies and special acts are included in figures for 1915. In 1925 only the regular annual and permanent and indefinite appropriations passed up to June 2, 1924, are included. Deficiencies and special acts for the service of 1925 to be passed in the future must be added for purposes of exact comparison.

The attached table does not include the expenses for the Shipping Board or the Veterans' Bureau.

Deducting the war expenses, which were:

Sinking fund	\$310,000,000.00
Interest on public debt	890,000,000.00
Public-debt redemptions payable from ordinary receipts	172,277,977.00
Total	1,372,277,977.00
Total amount of increase of appropriations for 1925 over 1915, minus Post Office appropriation	2,223,730,886.50
Less war expenses	1,372,277,977.00
	851,452,909.50
Plus second deficiency	158,000,000.00
Grand total increase for 1925 over 1915	1,109,452,909.50
Plus adjusted compensation of civilian employees in field	1,185,780,377.34
Comparison of appropriations, fiscal years 1915 and 1925 ¹	

Title	Appropriations, fiscal year 1915 ¹	Appropriations, fiscal year 1925 ¹	Decrease (-) or Increase (+), 1925, compared with 1915
Legislative:			
Regular annual	\$13,956,639.60	\$14,279,016.00	+\$322,376.40
Permanent and indefinite	800.00	800.00	
Total	13,957,439.60	14,279,816.00	+322,376.40
Executive Office and independent offices:			
Regular annual	9,415,867.22	398,870,180.16	+389,454,312.94
Permanent and indefinite	57,630.00	6,457,301.79	+6,399,671.79
Total	9,473,497.22	405,327,481.95	+395,853,984.73
Agricultural Department:			
Regular annual	23,994,640.64	61,147,993.00	+37,153,352.36
Permanent and indefinite	5,999,200.00	12,360,750.00	+6,361,550.00
Total	29,993,840.64	73,508,743.00	+43,514,902.36

¹ The regular annual appropriation figures for 1925 for Commerce, Justice, Labor, Navy, Post Office, State, and Treasury were taken from the acts as approved by the President, but all other regular annual appropriation figures for 1925 were taken from the bills as passed by the Senate up to June 2, 1924, and prior to action by conferees.

² Deficiencies and special acts are included in figures for 1915. In 1925 only the regular annual and permanent and indefinite appropriations passed up to June 2, 1924, are included. Deficiencies and special acts for the service of 1925, to be passed in the future, must be added for purposes of exact comparison.

Comparison of appropriations, fiscal years 1915 and 1925—Continued

Title	Appropriations, fiscal year 1915	Appropriations, fiscal year 1925	Decrease (-) or Increase (+), 1925, compared with 1915
Commerce Department:			
Regular annual	\$11,539,919.06	\$23,939,905.00	+\$12,399,985.94
Permanent and indefinite	3,000.00	3,000.00	
Total	11,542,919.06	23,942,905.00	+12,399,985.94
Interior Department:			
Regular annual	191,858,601.94	264,202,756.00	+72,344,154.06
Permanent and indefinite	19,820,500.00	27,243,269.06	+7,422,769.06
Total	211,679,101.94	291,446,025.06	+79,766,923.12
Department of Justice and the judiciary:			
Regular annual	10,615,400.10	21,371,430.00	+10,756,029.90
Permanent and indefinite	147,500.00		-147,500.00
Total	10,762,900.10	21,371,430.00	+10,608,529.90
Labor Department:			
Regular annual	3,790,769.97	7,956,516.51	+4,165,746.54
Permanent and indefinite		25,000.00	+25,000.00
Total	3,790,769.97	7,981,516.51	+4,190,746.54
Navy Department:			
Regular annual	147,060,498.47	275,105,067.00	+128,044,568.53
Permanent and indefinite	1,881,477.00	2,103,260.00	+221,783.00
Total	148,941,975.47	277,208,327.00	+128,266,351.53
Post Office Department, regular annual only	316,169,190.50	613,645,195.25	+297,476,004.75
State Department:			
Regular annual	6,033,716.54	15,001,646.29	+8,967,929.75
Permanent and indefinite	171,000.00	26,000.00	-145,000.00
Total	6,204,716.54	15,027,646.29	+8,822,926.75
Treasury Department:			
Regular annual	66,790,428.76	120,768,405.00	+53,977,976.24
Permanent and indefinite	492,943,000.00	1,398,061,075.00	+905,118,075.00
Total	149,733,428.76	1,518,836,480.00	+1,369,103,051.24
War Department:			
Regular annual	617,516,600.95	6329,843,772.13	+5,712,327,171.18
Permanent and indefinite	9,317,600.00	6,583,321.00	-2,734,279.00
Total	181,834,200.95	336,427,093.13	+154,507,107.18
District of Columbia:			
Regular annual	12,371,016.08	29,227,519.00	+16,856,502.92
Permanent and indefinite	854,700.00	1,226,962.00	+372,262.00
Total	13,225,716.08	30,454,481.00	+17,228,764.92
Grand total:			
Regular annual	976,113,289.83	2,175,359,401.34	+1,199,246,111.51
Permanent and indefinite	131,196,407.00	1,455,080,738.55	+1,323,884,331.55
Grand total	1,107,309,696.83	3,630,440,140.19	+2,523,130,443.36
Less Post Office (payable from postal revenues)	314,245,638.39	613,645,195.25	299,399,556.86
Total, exclusive of Post Office	793,064,058.44	3,016,794,944.94	+2,223,730,886.50

¹ Includes \$1,923,552.11 for Post Office Department proper, payable from ordinary receipts (General Treasury). In 1925 all expenses of the Post Office Department are made payable from postal revenues.
² Includes sinking fund, \$60,717,000; and interest on the public debt, \$22,900,000.
³ Includes estimates for sinking fund, \$310,000,000; for interest on the public debt, \$890,000,000; and for public-debt redemptions payable from ordinary receipts, \$172,277,977.
⁴ Includes appropriations for Panama Canal.
⁵ In 1915 Postal Service payable from postal revenues only was excluded, as the expenses for Post Office Department proper were payable from ordinary receipts

A FEW OF THE OUTSTANDING ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION, 1921-1924

PEACE WITH GERMANY

Mr. SMOOT. Mr. President, when the Republican administration came into control of the Government, in 1921, the country was still in a state of war with the Central Powers, due to the stubborn refusal of a Democratic President to conclude any treaty of peace which did not provide for the entry of the United States into the League of Nations and did not subordinate this country to the domination of foreign influences. The first and most important care of the administration became the conclusion of peace with Germany and her allies. Treaties were quickly

arranged; diplomatic and trade relations were resumed with the enemy countries; and the strained relations with European nations which had grown out of the Versailles treaty were adjusted.

THE FISCAL SITUATION

As a result of the war, our people had accumulated a debt of \$26,596,701,648.01 as against a pre-war indebtedness of one billion. Of this sum \$11,000,000,000 was made up of advances to our allies during the war. No arrangements whatever had been made for the collection or the funding of these advances. No country except England had paid a dollar on account of either principal or interest. At the same time, current expenditures of the Government were proceeding at the rate of more than five and a half billions yearly. Government obligations were below par. In spite of this appalling state of the public finances, due at least in part to the unprecedented extravagances of the former administration, the retiring Democratic President had seen fit to disapprove the Budget and accounting bill, designed to bring system and economy into the Government's business.

REDUCTION IN EXPENDITURES

The Republican administration took steps immediately to improve the public credit and to curtail expenditures. Mr. GLASS. Mr. President, may I interrupt the Senator? Mr. SMOOT. I wish the Senator would allow me to get through and then I will gladly answer any questions he may desire to ask.

Included in the totals of appropriations, almost two billions is made up of fixed charges growing out of the war—interest on the public debt, sinking-fund contributions, and the payments to ex-service men. The administration has thus reduced the actual cost of the public service to a little more than \$1,000,000,000 yearly, practically the amount expended annually before the war.

THE BUDGET SYSTEM

This retrenchment in expenditures was made possible largely by the inauguration of a Budget system immediately after the beginning of the Republican administration. This was the greatest piece of fiscal legislation in the recent history of the country. Not only has machinery been set up under the President whereby he can with intelligence plan the country's financial program, but the committee arrangements in both Senate and House have so been altered as to consolidate and unify the legislative system for the consideration of appropriations and expenditures. The entire credit for the existence and the wonderful achievements of the Budget system must be given to a Republican Congress and a Republican President.

At this point I wish to place in the RECORD a table showing total appropriations, including Postal Service—payable from postal revenues—and estimated and indefinite appropriations, and a table showing total appropriations, including permanent and indefinite appropriations but excluding Postal Service, as follows:

Total appropriations including Postal Service (payable from postal revenues) and estimated permanent and indefinite appropriations

Fiscal year	Total appropriations	Reductions
1921	\$4,780,929,510	
1922	3,909,282,209	\$871,647,301
1923	4,248,140,570	1,338,853,361
1924	4,062,544,312	155,596,253

¹ Increase.

Total appropriations including permanent and indefinite appropriations, but excluding Postal Service

Fiscal year	Total appropriations	Reductions
1921	\$4,257,361,240	
1922	3,207,892,754	\$1,049,468,486
1923	3,675,612,372	1,467,719,618
1924	3,495,634,887	179,977,435

¹ Increase.

Total appropriations excluding Postal Service and estimated permanent and indefinite appropriations

Fiscal year	Total appropriations	Reductions
1921	\$2,796,953,488	
1922	1,872,116,394	\$924,837,094
1923	2,155,745,089	1,283,628,695
1924	1,959,965,439	195,778,630

¹ Increase.

I want to call attention now to the total gross debt as of June 30, 1921, and the reductions taking place, as follows:

Statement showing reduction in the total gross debt for the fiscal years 1922, 1923, and 11 months of fiscal year 1924

	Total gross debt	Reduction
June 30, 1921	\$23,977,450,552	
June 30, 1922	22,963,381,708	\$1,014,068,844
June 30, 1923	22,349,707,365	613,674,343
May 31, 1924 (11 months)	21,544,803,396	804,903,969
Total reduction (2 years 11 months)		2,432,647,156
Yearly average		834,050,454

In order that Senators may know just what the sales were of war supplies, the proceeds of which were covered into the Treasury in each of these years, I want to put in the Record at this time a statement giving the amount in each year, as follows:

Receipts from sales of war supplies covered into the Treasury

Fiscal year:	
1921	\$183,406,227.01
1922	89,319,746.28
1923	77,931,236.95
1924 (11 months' basis)	39,282,571.49

I now want to call attention to the question of expenditures, shown in the following table:

Total expenditures chargeable against ordinary receipts¹

[On basis of daily statements adjusted to Budget basis]

Fiscal year	Total expenditures chargeable against ordinary receipts	Reductions
1921	\$5,538,209,189	
1922	3,795,302,480	\$1,742,906,709
1923	3,532,269,266	263,033,214
1924 (11 months)	3,144,448,574	143,290,245

¹ Includes public debt retirements chargeable against ordinary receipts.

² Eleven months' period ended May 31, 1924, compared with corresponding period for the fiscal year 1923.

REFUNDING THE FOREIGN DEBT

Mr. President, legislation was adopted establishing a commission to take up with the various nations the question of refunding their indebtedness to this country, amounting to about eleven billions of dollars. The commission has met with material success. It secured an arrangement with Great Britain—our largest debtor—to fund the entire British debt into long-term bonds and provide for the immediate and continued payment of the interest and of installments on the principal. This was approved by Congress and by the British Government and is now in effect. A debt settlement has also been reached with Finland and Hungary, while negotiations are in progress with all other debtor nations. As the result of the active prosecution of these matters by the administration, the annual income of the Government has been increased by the sum of \$180,000,000, representing principal and interest payments by foreign nations. This has been a material help to the Treasury.

BALANCING THE BUDGET AND REDUCING THE NATIONAL DEBT

The fiscal year 1922 began with a deficit of more than \$700,000,000. Due to the economies of the administration this deficit was converted into a surplus of \$300,000,000 before the end of the year. The excess of receipts over expenditures during the fiscal year 1923 was again more than \$300,000,000. It is estimated at the Treasury that there will be a similar

surplus at the end of the current year. At the same time the administration was thus bringing the Government's expenses within its income, or balancing the budget, substantial reductions were being made in the public debt. This stood at \$26,000,000,000 in 1919. It has been reduced following the inauguration of a Republican Congress in that year to about \$24,000,000,000, where it stood at the time of President Harding's inauguration in March, 1921. Within the three years of the present administration it has been cut down to \$21,544,806,396—an average reduction of more than \$800,000,000 yearly.

RESTORED PUBLIC CREDIT

With this vigorous handling of the Nation's finances, the interest rate on the Government's short-time borrowings was reduced from 5½ per cent to 4 per cent, a saving of millions to the Treasury. Government bonds, which had been selling at about 85 cents on the dollar, returned to par—which meant two and a half billions of dollars in the pockets of the holders of Liberty bonds.

TAX REDUCTIONS

In the face of the large reductions in the public debt and the annual additions to the Treasury surplus, the internal revenue taxes have been reduced—first by the act adopted in November, 1921, and more recently by the act which has just received the President's signature. The first law repealed the obnoxious excess-profits tax, the most damaging of all taxes to ordinary business, reduced high surtaxes, increased the exemptions applying to heads of families with moderate incomes, and repealed most of the so-called nuisance taxes. The act just adopted decreases taxes generally to the lowest level since 1917; reduces the income taxes payable during the present year by 25 per cent; makes a general reduction in all income taxes, and specially reduces the taxes on earned incomes. These large decreases in the tax burden of the people have been possible solely by the most rigid economy practiced by the administration and by the application of common-sense principles to the conduct of the Government's business.

REORGANIZATION OF THE EXECUTIVE DEPARTMENTS

The establishment of budgetary reforms, which not merely have made possible the curtailment of the public expenditures and the reduction of the national debt but have also permitted a substantial reduction in the tax burden upon the people, will not, however, be brought to completion without the reorganization and rearrangement of the executive departments which have the Government's business in charge. The departments have shown a marked improvement in their efficiency under the Republican administration. They have practiced rigid economy. They have eliminated all unnecessary expenditures. They have reduced the number of Government employees nearly 100,000. But further improvements can be made. Immediately after the present administration came into power, Congress established a Joint Committee on Reorganization, which has since been engaged in an intensive inquiry into the details of Government administration. The committee has just laid its report before Congress, recommending the elimination of a number of superfluous bureaus and offices and a comprehensive rearrangement of the entire departmental system. The legislation necessary to accomplish these reforms is now before Congress, and its enactment will complete the compliance of the administration with its promise to introduce sound business principles into the management of the Government.

REDUCTION IN THE ARMY AND NAVY

The Republican administration has reduced the Army and the Navy to a proper peace-time basis. The Regular Army now numbers 140,000 officers and men, and the Navy, including the Marine Corps, 115,000 officers and men. Temporary posts and camps have been relinquished, surplus property disposed of, operating agencies have been consolidated, and other reforms introduced into the administration of the Military and Naval Establishments. Hundreds of millions of dollars have been saved as the result of these changes, without impairing in the slightest degree the effectiveness of our fighting forces for purposes of the national defense.

PREPAREDNESS

The National Guard and the naval reserves have been reorganized and made into an effective support for the regular Military and Naval Establishments. Summer camps and training schools have been conducted with regularity. The organ-

ized reserves of the two military arms are now in skeleton stage to insure the national defense against any emergency. These arrangements make possible the progress and development of defense plans, and a state of national preparedness, with a maximum of efficiency and at a very moderate public expense.

DISARMAMENT

One of the earliest efforts of the administration, in connection with its plans to aid in the restoration and maintenance of the peace of the world and to prevent the recurrence of such devastating conflicts as the late war, was directed to bringing a reduction in the armaments of the major powers. At the invitation of the President, the Arms Conference was called in November, 1921. It was in session three months, and unanimously adopted the administration's proposals definitely limiting armaments on the sea. It resulted in the recognition of this country's open-door policy in China, the withdrawal of Japanese troops from Siberia, the return of Shantung to China by Japan, the abandonment of the long-standing Anglo-Japanese alliance, and the recognition of the American claims in relation to Yap Island. It retained America's proper position in the Pacific and set up machinery for the adjustment of disputes arising in the Orient. This was the most brilliant and far-reaching diplomatic achievement in history, and beyond any doubt accomplished more in the direction of securing world peace than any step which has ever been taken by this or any other country. It has made possible a tremendous lightening of the tax burden, not only in the United States, but in all the leading nations of the world.

GERMAN REPARATIONS

Throughout, by means of unofficial observers, the administration has maintained close contact with the endeavors of European nations to reach an adjustment of the problems connected with the rehabilitation of France and Belgium, and the payment of reparations by Germany. In recent months, the Government named representatives to sit on the commission of experts created to formulate a plan for the final and complete settlement of these matters, which, without exception, were the most difficult and perplexing of the many questions which grew out of the war, and at the same time fraught with the greatest danger to the peace of the world. The commission, under the leadership of the American representatives, has submitted its report. The plan which it proposes has been accepted, in substance, by the Government of Germany as well as by the Governments of the allied nations. And there is little doubt that, largely as the result of the friendly intervention of this country, the principal disagreements between the associated nations and the German people are in fair way to a speedy settlement. This is but a further illustration of the high position in the family of nations which America has reached under the Harding-Coolidge administration.

MEXICO

The long-standing differences between this country and Mexico has been adjusted satisfactorily to both nations, and the United States has resumed diplomatic relations with that country.

PHILIPPINES

At the close of the Democratic administration in 1921, the prestige and authority of the United States in the Philippines had sunk to its lowest level since the American occupation of the islands in 1898. Due largely to a desire on the part of the Democratic Governor General to encourage and hasten Philippine independence the government of the islands had been largely entrusted to native politicians. Mismanagement, extravagance, and corruption were rife in administrative affairs. Government credit was exhausted, the currency was depreciated, and the public finances were in a state of collapse. Immediately after his inauguration, President Harding dispatched a commission to the islands to make a thorough investigation of these conditions. He later appointed as Governor General one of the strongest American administrators in public life. Under his guidance and direction the fiscal system in the Philippines has been reorganized and rehabilitated. Corrupt public officials have been removed from office and punished. The public credit has been restored. And the prestige of the American Nation and the American people in the Far East never was higher than it is to-day.

DOMESTIC AFFAIRS—CARE OF THE VETERANS

The principle for which President Harding and President Coolidge have consistently contended is that the Government

shall treat with liberality and generosity all our former soldiers and sailors who were wholly or partially disabled in the service of their country. The administration has steadfastly striven in every possible way to lighten the burden of those of our soldiers who came out of the war handicapped, as well as to help the dependents of those who lost their lives in their country's service. No other administration in the Nation's history has provided more generously for the ex-service men. In 1921, the Veterans' Bureau was established, all Government agencies dealing with former service men were consolidated, and the work of relieving disabled war veterans and their dependents facilitated and expedited. The rates of compensation for disability were liberalized by a Republican Congress, and the administrative policy was adopted of placing the burden of proof in all compensation cases upon the Government. Millions have been expended for the erection of hospitals. Each year approximately half a billion dollars has been paid out to veterans of the Great War and their dependents and to provide for their rehabilitation and hospitalization. The pensions of the veterans of other wars and their dependents have amounted to about \$250,000,000 yearly, making a total of about three-quarters of a billion dollars a year provided for the care of our veterans. No other nation in the history of the world has provided more liberally for its former soldiers.

In the closing days of the present session, Congress adopted the soldiers' bonus, involving a payment to veterans amounting to approximately \$132,000,000 during the first year, and a total payment of upwards of two and a half billions spread over a period of 20 years.

IMMIGRATION

The enactment of restrictive immigration legislation was one of the most important tasks of the administration. Under the immigration policy which had long been followed by this country, the arrival of great numbers of immigrants from southern and eastern Europe was operating to change, to a dangerous degree, the character and composition of our people. Our standards of living were becoming depressed, our balance of population upset, our ideals and institutions threatened, and our prisons and asylums filled with the socially unfit, as the result of the advent of inferior racial groups and groups having nothing in common with those peoples which had settled and developed the country. The administration sought, and Congress enacted, legislation which for all time will put an end to this menace. The Johnson-Reed immigration law establishes the census of 1890 as the quota base for immigration, and fixes the annual quota from each country at 2 per cent of its representation in the foreign-born population of the United States as it stood in that year. The law will restrict immigration greatly—in fact, to about 160,000 persons a year. It will permit the restoration of the original balance in our population. It will diminish the numbers of the delinquent and defective classes. It will reduce crime, and prevent unemployment. The immigration law is one of the most notable achievements of the present administration.

THE TARIFF

Hand in hand with the restriction of immigration goes the Fordney-McCumber tariff. The restriction of immigration is almost universally approved by reasonable men. Our railroads, our shops and factories, our mines and our farms, should be operated by our own people. One of the objects of restricting immigration is to keep out low-priced foreign labor, and to insure employment for Americans. But a curtailment of immigration would be of little value for this purpose if we were to permit goods produced in foreign countries to be dumped into our markets. Every shipload of goods produced abroad and brought into America for sale takes just so much employment from American laborers and American producers. The Republican administration has stood, as every Republican administration has stood, for the protection of American workmen and American industries from unfair competition with the cheap labor of foreign countries. Under the Fordney-McCumber tariff our industries and our labor have prospered. There are now few idle factories, and there is but little unemployment. Wages are high and prices good. Our revenues from customs have shown a marked increase, amounting during the last completed fiscal year (1923) to almost \$600,000,000.

In spite of the gloomy forecasts of the Democratic opponents of the Fordney-McCumber law, our export trade has increased, and not diminished, under the new tariff. This is at least in part due to the vigorous efforts of the administration to build

up markets abroad for our surplus production. The organization of the Department of Commerce has been expanded and increased many fold in effectiveness during the last three years. Divisions have been established covering farm products, cotton, agricultural implements, coal, electrical equipment, hides and leather, and all other important commodities.

Mr. REED of Missouri. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I will say to the Senator I am nearly through, and I should prefer not to yield at this time.

Mr. REED of Missouri. Very well.

Mr. SMOOT. Systematic and complete information in relation to foreign markets is being developed both through the foreign agents of the Department of Commerce and through the consular service. This information is collated in the department and regularly made available to the trades affected, to exporters, to the agricultural interests, and to the general public.

AGRICULTURE

The administration has rendered material and timely aid to agriculture—the country's oldest and most important industry. During 1921 a congressional joint commission on agricultural inquiry conducted intensive research to determine the ways in which the Government could best aid the farmer, and in January, 1922, the Secretary of Agriculture, at the request of the President, called a national agricultural conference, which proved to be the most representative gathering of practical farmers and representatives of farm organizations and allied associations which had ever been brought together in this country. Following the recommendations of its own commission and of this national conference, Congress has passed a number of laws designed to assist the agricultural interests of the Nation. One of the most important was the agricultural credits act of 1923, providing Government agencies to handle agricultural loans and authorizing the establishment of private agencies under Government supervision to loan money on livestock security and on farm products in transit to market.

The War Finance Corporation was revived and empowered to loan money to those engaged in marketing agricultural products for export and to banks or cooperative associations of producers making advances for agricultural purposes. The financial relief to farmers made possible by these measures has meant salvation for the livestock industry in the West and the saving from bankruptcy many other agricultural industries essential to the prosperity of the entire country.

The Federal Reserve act was amended so as to give representation to agriculture in the membership of the Federal Reserve Board, to increase the period of discount for agricultural paper, and to broaden the definition of such paper. The cooperative marketing act was adopted giving to farmers the right to form associations for marketing their products. The packers and stockyards act was passed, for the purpose of preventing unfair practices in the marketing of livestock. Millions of dollars were appropriated for the extension and improvement of rural roads.

This is by no means an exhaustive list of the things which the Government has done in the last three years to aid the agricultural communities of the country. But it shows that legislation in the interests of agriculture has been one of the chief concerns of the administration. Many proposals for farmer relief have been before Congress, but none have had the undivided support of the agricultural interests themselves, and this is the principal reason why further relief legislation has not passed Congress at the present session. The failure of these proposals to secure the indorsement of Congress can not obscure the fact that farmer-relief legislation of a practical kind has been adopted, which will beyond question mark the beginning of the return of prosperity to our farmers.

Now, Mr. President, perhaps it would be well to summarize what I have already stated in a few words. It will only take me a short time to do it.

SUMMARY

Under the Republican administration peace has been concluded with our former enemies and friendly relations established with the entire world. The administration of the Government has been placed upon the soundest basis since we became a Nation. Taxes have been cut. Yet the national debt has been reduced and the national credit restored. Rigid

economy has supplanted extravagance in the Government departments and in the Army and Navy, and our yearly expenditures have been cut almost in half.

Sound tariff and immigration policies have been put in force. Our export trade has grown. Unemployment has been eliminated. There are but few idle factories. The situation of the farmers, which under the former administration had become desperate, has been materially improved. The people will judge the administration and the Congress by these results. Except by those who look upon the Government as a dispenser of gratuities, these results will be regarded with satisfaction.

THE ACHIEVEMENTS OF THE SIXTY-SEVENTH CONGRESS UNDER PRESIDENT HARDING

The Sixty-seventh Congress passed the farmers' emergency tariff act, which stopped the importations of wheat, milk, and cheese from Canada; corn and beef from Argentina; wool and mutton from Australia; eggs from China; and butter from Norway, Denmark, and Sweden, which were being shipped into this country under the free-trade provisions of the Underwood Democratic tariff.

It authorized the use of a billion dollars by the War Finance Corporation to finance the orderly marketing and exportation of agricultural products.

It reduced the Army and the Navy to a peace-time basis.

It passed the peace resolutions with Germany and Austria and brought about a limitation of armament through an international conference.

It passed the budget bill, vetoed by President Wilson, and put the budget system into operation.

It reduced Government employees over 100,000.

It curtailed the expenses of the Government through economy and good business management, and was thus enabled to reduce the national debt from \$26,594,267,878 on August 31, 1919, to \$21,544,806,896 on May 31, 1924.

It repealed the soda and ice cream, clothing, drug store, and freight and express taxes.

It reduced the burden on the taxpayer nearly \$1,000,000,000 a year.

It combined the activities in behalf of the disabled and injured soldiers in the Veterans' Bureau, as desired by the ex-service man, and provided \$500,000,000 annually for soldier-relief work.

It restricted foreign immigration to a 3 per cent basis.

It established the foreign debt funding commission, which has secured satisfactory settlement of the British debt and is negotiating the settlement of the amounts due us from the other nations.

It passed the maternity bill.

It passed a law regulating the grain exchanges and the packing houses.

It appropriated \$38,000,000 to build hospitals for sick and disabled veterans.

It provided for the return of alien property not in excess of \$10,000 to each person.

It provided for the organization of agricultural cooperative-marketing associations.

It passed the antinarcotic act.

It passed the bill prohibiting the sale of filled milk.

It provided for the monthly payment of Civil War pensions.

It brought about independent citizenship for women.

It created the United States Coal Commission, and made possible the prosecution of war profiteers and grafters.

It passed a permanent tariff law, protecting agricultural products and reviving the operation of our industries, to the end that 5,000,000 idle men were able to find employment.

It enacted the Capper-Lenroot-Anderson-Strong bill, establishing a system of rural credits.

THE SIXTY-EIGHTH CONGRESS, FIRST SESSION

The Sixty-Eighth Congress passed the tax reduction bill.

It granted the soldiers' bonus.

It passed the bill permanently restricting immigration.

It extended for nine months the power of the War Finance Corporation to advance credit to agriculture.

It authorized the settlement of the indebtedness of Hungary and Finland to United States made by the World War Foreign Debt Commission.

It remitted the remaining payments on the Chinese indemnity. It authorized the postponement of payments by settlers on reclamation projects.

It expanded the Coast Guard to prevent illegal entry of aliens and of liquors, narcotics, and dutiable goods.

It authorized the participation of the United States in two international conferences for the control of the narcotic traffic.

It relieved drought-stricken farmers in New Mexico and made appropriations to check cattle diseases in the Southwest.

It passed a bill reorganizing the diplomatic and consular service.

These, Mr. President, are but a few of the acts that have been passed under this administration.

STATEMENT OF APPROPRIATIONS

During the delivery of Mr. SMOOT's speech,

Mr. WARREN. Mr. President, will the Senator yield for just a moment?

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Wyoming?

Mr. SMOOT. For what purpose?

Mr. WARREN. I wish to make an announcement regarding appropriations.

Mr. SMOOT. I yield.

Mr. WARREN. Mr. President, it has been the custom in the Senate, on the last day of each session, for the chairman of the Appropriations Committee, representing the majority, to make a statement of the appropriations made during the session, and for the ranking member of the minority on the Committee on Appropriations also to make such a statement. The Committee on Appropriations has been too busy during the last few days to afford the chairman of that committee an opportunity to prepare any but an imperfect statement of appropriations, for, with so many conference reports being acted upon in the last few hours of the session, involving many thousands and hundreds of thousands of dollars, it is only possible to determine upon the exact amounts appropriated after the session has ended. I therefore ask unanimous consent that the chairman of the Appropriations Committee shall have the privilege of inserting in the Record early next week a statement showing the total appropriations made by the present session of Congress.

The PRESIDENT pro tempore. Is there objection?

Mr. OVERMAN. Mr. President, I do not have any objection, but, on the contrary, I hope unanimous consent will be granted. I know that the chairman of the Committee on Appropriations has been very busy.

The PRESIDENT pro tempore. Is there objection?

Mr. NORBECK. Mr. President, I wish to make a parliamentary inquiry. What is the request?

Mr. ROBINSON. Mr. President, I suggest that there be coupled with the request of the Senator from Wyoming the further request that the ranking member of the minority on the Committee on Appropriations, the Senator from North Carolina [Mr. OVERMAN], may be granted the same privilege.

Mr. OVERMAN. I was just going to make that request.

Mr. WARREN. Of course, I have no objection to that being done.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

APPROPRIATIONS, FISCAL YEAR 1925

Mr. WARREN. Mr. President, in accordance with the usual custom at the close of a session, I present herewith three tables: (a) Recapitulation of appropriations by acts and irrespective of fiscal years, Sixty-eighth Congress, first session, December 3, 1923, to June 7, 1924; (b) comparison of appropriations by departments and establishments, fiscal years 1924 and 1925; and (c) comparison of Budget estimates and appropriations, fiscal year 1925.

The appropriations by acts, irrespective of fiscal years, made during the Sixty-eighth Congress, first session, amounted to \$3,784,123,324.35, plus \$186,833,288.49 in the second deficiency bill and \$26,357,767.84 in the field service classification bill, which failed, or a total of \$3,997,314,380.68, as compared to \$4,097,499,197.04 made during the Sixty-seventh Congress, second, third, and fourth sessions—a substantial reduction of \$100,184,816.36.

The total appropriations chargeable to the fiscal year 1925 are \$3,622,125,959.19, as compared to \$4,013,109,837.81 for the fiscal year 1924—a reduction of \$390,983,878.62 for 1925 under 1924. This sum should be further reduced by the 1925 appropriations in the two bills which failed to pass, aggregating approximately \$201,000,000, which will leave the reduction of 1925 under 1924 approximately \$189,000,000. This is a substantial saving and one which the country has a right to scan with pleasure. Reduction of appropriations is not an easy task in a growing country such as ours.

I have great pleasure at this point in commending the able and harmonious efforts of the House Committee on Appropriations. Its work has been thorough and conscientious. Its leadership has been wise and masterful and at all times on the side of the taxpayer. I thank each and every member of the Committee on Appropriations of the Senate, of which I am the chairman, for his helpful support and cooperation, and I thank the able and experienced chief clerk and his assistants for their ability and never-failing industry and loyalty.

The total Budget estimates—regular and supplemental—amounted to \$3,632,173,054.96 for the fiscal year 1925. The appropriations are \$3,622,125,959.19—a net reduction of the estimates of \$10,047,095.77. Really not a great change. Indeed, this is a compliment to the Bureau of the Budget. It shows the result of the application of scientific principles. It is a cheerful exhibit of what comes from all working together and in harmony.

Prior to the Budget law, Congress was confronted with estimates amounting to millions and millions of dollars which were monuments to waste and extravagance. Now an estimate means something. It has investigation behind it. So long as the Bureau of the Budget continues to function we may not expect to see the former great gap between estimates and appropriations. The Bureau of the Budget is deserving of the highest praise. General Dawes, who inaugurated, and General Lord, who followed, are entitled to congratulation, commendation, and continued confidence.

The following shows the total appropriations for fiscal years and amounts that follow:

1920	\$7,052,387,633.67
1921	4,070,964,634.06
1922	4,177,802,100.90
1923	3,951,062,084.39
1924	4,013,109,837.81
1925	3,622,125,959.19

The appropriations for 1925 are less than the same for—

1920	\$3,229,261,674.48
1921	247,838,574.87
1922	354,676,141.71
1923	127,936,125.20
1924	189,983,878.62

In conclusion, the following facts are respectfully submitted:

The appropriations for 1925 are approximately \$189,000,000 less than for 1924.

The public debt has been reduced from \$25,478,592,113.25 on August 31, 1919, to \$21,347,965,880.55 on May 31, 1924, a reduction of \$4,130,626,232.70.

The excess of receipts over expenditures for the fiscal year ending June 30 1924, will not be less than \$500,000,000.

The number of executive civil employees of the Government has been reduced from 917,760 on armistice day, November 11, 1918, to 544,671 on December 31, 1923, a reduction of 373,089. This is practically down to pre-war normal conditions, exclusive of the Postal Service.

The total revenues of the Postal Service have gone from \$344,493,211.99 for the fiscal year 1918 to approximately \$572,630,000 for the fiscal year 1924, an increase of \$228,136,788.01.

Our Government since October 6, 1917, has made appropriations for allowances and benefits on account of disabled soldiers, sailors, and marines who participated in the war with Germany amounting to \$2,773,470,866.98. This sum does not include \$132,568,272.30 for adjusted compensation of World War veterans in the second deficiency bill for 1924, which failed.

Our Government has rehabilitated and completed the training of 71,500 ex-service men and women, thus overcoming their handicap as a result of physical or mental disability incurred in the military service; and 54,392 ex-service men and women are now receiving vocational training.

Our Government, through the operations of the Federal Board for Vocational Education, in cooperation with the States, has rehabilitated 13,951 persons disabled in industry or incapacitated by industrial accidents, and in addition we now have 18,000 persons in the process of being rehabilitated.

The entry of public lands by homesteaders and others for the fiscal years 1921 to 1923, inclusive, amounted to 32,413,784 acres, and the combined receipts of the General Land Office, for all purposes, for the three fiscal years amounted to \$36,993,340.80.

The number of farms on our reclamation projects now number 34,000, and the cumulative gross value of crops grown since water was first available is equivalent to more than \$500,000,000.

The number of miles of Federal-aid roads completed under the Federal highway act up to March 1, 1924, was 33,036, and 13,800 miles are now under construction.

¹ This sum includes \$201,000,000 carried in the two acts that failed.

(A) Recapitulation of Appropriations by Acts and Irrespective of Fiscal Years, Sixty-eighth Congress, First Session (Dec. 3, 1923, to June 7, 1924)

Title of act	Amount
REGULAR ANNUAL ACTS, FISCAL YEAR 1925	
Agriculture.....	\$58,575,274.00
District of Columbia.....	26,455,105.00
Executive office and independent offices.....	398,776,740.16
Interior.....	263,250,455.00
Legislative establishment.....	14,229,016.00
Navy.....	275,105,067.00
State, Justice, Commerce, and Labor:	
Commerce.....	\$23,939,905.00
Justice.....	21,371,430.00
Labor.....	7,956,516.51
State.....	15,001,646.29
	68,269,497.80
Treasury and Post Office:	
Post Office.....	613,645,195.25
Treasury.....	120,768,405.00
	734,413,600.25
War:	
Military activities.....	255,615,279.13
Nonmilitary activities.....	72,355,186.00
	327,970,465.13
Total, regular annual acts.....	2,167,045,220.34
DEFICIENCY APPROPRIATION ACTS, FISCAL YEAR 1924 AND PRIOR YEARS	
First deficiency act, fiscal year 1924.....	156,671,655.28
Urgent deficiency act, fiscal year 1924.....	2,333,000.00
Total, deficiency acts.....	159,004,655.28
MISCELLANEOUS ACTS CARRYING APPROPRIATIONS	
Contingent expenses, United States Senate, fiscal year 1924.....	125,000.00
Prosecution of suits to cancel oil leases, fiscal years 1924 and 1925.....	100,000.00
Relief of drought-stricken farm areas of New Mexico, fiscal years 1924 and 1925.....	1,000,000.00
Eradication of foot-and-mouth disease, fiscal year 1924.....	1,500,000.00
Miscellaneous relief and other acts.....	267,709.88
Total, miscellaneous acts.....	2,992,709.88
Total, regular, deficiency, and miscellaneous acts.....	2,329,042,585.50
PERMANENTS AND INDEFINITES, FISCAL YEAR 1925	
Agriculture.....	12,360,750.00
Commerce.....	3,000.00
Independent offices.....	6,457,301.79
Interior.....	27,243,269.06
Labor.....	25,000.00
Legislative.....	800.00
Navy.....	2,103,260.00
State.....	26,000.00
Treasury:	
Interest on public debt.....	\$890,000,000
Sinking fund and other public debt retirement funds.....	482,277,975
Ordinary permanents and indefinites.....	26,773,100
	1,399,051,075.00
War:	
Military activities.....	900,000
Nonmilitary activities.....	5,683,321
	6,583,321.00
District of Columbia.....	1,226,962.00
Total, permanents and indefinites.....	1,455,080,738.85
Grand total.....	3,784,123,324.35
<i>Classification of foregoing appropriations by fiscal years</i>	
1925.....	\$3,622,125,959.19
1924.....	149,464,629.69
1923 and prior fiscal years.....	12,532,735.47
Total.....	3,784,123,324.35

(B) Comparison of Appropriations by Departments and Establishments, Fiscal Years 1924 and 1925

[Amounts carried for each of these years in regular annual appropriation acts, deficiency appropriations acts, special acts, and amounts estimated under permanent and indefinite appropriations]

	Appropriations, fiscal year 1924	Appropriations, fiscal year 1925	Decrease (-) or increase (+), 1925 compared with 1924
Legislative branch:			
Regular annual.....	\$13, 110, 081. 60	\$14, 229, 016. 00	+\$1, 118, 934. 40
Increased compensation.....	1, 705, 140. 00	-----	-1, 705, 140. 00
Permanent and indefinite.....	800. 00	800. 00	-----
Total.....	14, 816, 021. 60	14, 229, 816. 00	-586, 205. 60
Executive Office and independent offices:			
Regular annual—			
Shipping Board.....	50, 411, 500. 00	30, 344, 000. 00	-20, 067, 500. 00
Veterans' Bureau.....	433, 161, 399. 16	349, 065, 000. 00	-84, 096, 399. 16
Executive and other independent offices.....	18, 446, 279. 92	19, 367, 740. 16	+921, 460. 24
Increased compensation.....	4, 916, 192. 00	-----	-4, 916, 192. 00
Total.....	506, 935, 371. 08	398, 776, 740. 16	-108, 158, 630. 92
Permanent and indefinite.....	6, 508, 926. 74	6, 457, 301. 79	-51, 624. 95
Total.....	513, 444, 297. 82	405, 234, 041. 95	-108, 210, 255. 87
Agricultural Department:			
Regular annual—			
Department proper.....	40, 925, 603. 00	39, 575, 274. 00	-1, 350, 329. 00
Increased compensation.....	3, 304, 800. 00	-----	-3, 304, 800. 00
Roads, construction of.....	32, 300, 000. 00	19, 000, 000. 00	-13, 300, 000. 00
Permanent and indefinite.....	12, 220, 000. 00	12, 360, 750. 00	+140, 750. 00
Total.....	88, 750, 403. 00	70, 936, 024. 00	-17, 814, 379. 00
Commerce, Department of:			
Regular annual.....	19, 541, 621. 34	23, 939, 905. 00	+4, 398, 283. 66
Increased compensation.....	1, 958, 956. 00	-----	-1, 958, 956. 00
Permanent and indefinite.....	3, 000. 00	3, 000. 00	-----
Total.....	21, 503, 577. 34	23, 942, 905. 00	+2, 439, 327. 66
Interior, Department of			
Regular annual—			
Pensions.....	254, 774, 660. 00	224, 616, 000. 00	-30, 158, 660. 00
Interior Department proper.....	41, 624, 402. 37	38, 634, 455. 00	-2, 989, 947. 37
Increased compensation.....	2, 845, 309. 00	-----	-2, 845, 309. 00
Permanent and indefinite.....	28, 352, 069. 00	27, 243, 269. 06	-1, 108, 799. 94
Total.....	327, 596, 440. 37	290, 493, 724. 06	-37, 102, 716. 31
Justice, Department of, and judiciary:			
Regular annual.....	21, 122, 556. 00	21, 371, 430. 00	+248, 874. 00
Increased compensation.....	875, 000. 00	-----	-875, 000. 00
Total.....	21, 997, 556. 00	21, 371, 430. 00	-626, 126. 00
Labor, Department:			
Regular annual.....	7, 246, 411. 00	7, 956, 516. 51	+710, 105. 51
Increased compensation.....	566, 640. 00	-----	-566, 640. 00
Permanent and indefinite.....	25, 000. 00	25, 000. 00	-----
Total.....	7, 838, 051. 00	7, 981, 516. 51	+143, 465. 51
Navy, Department of:			
Regular annual.....	294, 480, 828. 00	275, 105, 067. 00	-19, 375, 761. 00
Increased compensation.....	510, 672. 00	-----	-510, 672. 00
Permanent and indefinite.....	2, 130, 050. 00	2, 103, 260. 00	-26, 790. 00
Total.....	297, 121, 550. 00	277, 208, 327. 00	-19, 913, 223. 00
Post Office Department:			
Payable from the postal revenues—			
Regular annual.....	596, 652, 111. 56	613, 645, 195. 25	+16, 993, 083. 69
Increased compensation.....	337, 248. 00	-----	-337, 248. 00
Payable from other Federal revenues—			
Increased compensation.....	11, 520. 00	-----	-11, 520. 00
Total.....	597, 000, 879. 56	613, 645, 195. 25	+16, 644, 315. 69

(B) Comparison of Appropriations by Departments and Establishments, Fiscal Years 1924 and 1925—Continued

	Appropriations, fiscal year 1924	Appropriations, fiscal year 1925	Decrease (-) or increase (+), 1925 compared with 1924
State Department:			
Regular annual.....	\$15,262,975.79	\$15,001,646.29	-\$261,329.50
Increased compensation.....	134,000.00		-134,000.00
Permanent and indefinite.....	106,000.00	26,000.00	-80,000.00
Total.....	15,502,975.79	15,027,646.29	-475,329.50
Treasury Department:			
Regular annual.....	¹ 236,934,694.04	120,768,405.00	-116,166,289.04
Increased compensation.....	10,749,292.00		-10,749,292.00
Permanent and indefinite—			
Interest on public debt.....	940,000,000.00	890,000,000.00	-50,000,000.00
Public debt redemption funds.....	511,968,125.00	482,277,975.00	-29,690,150.00
All other.....	31,055,093.41	26,773,100.00	-4,281,993.41
Total.....	1,730,707,204.45	1,519,819,480.00	-210,887,724.45
War Department:			
Military—			
Regular annual.....	251,544,581.00	255,615,279.13	+4,070,698.13
Permanent and indefinite.....	900,000.00	900,000.00	
Total, military.....	252,444,581.00	256,515,279.13	+4,070,698.13
Nonmilitary—			
Regular annual.....	85,822,747.00	72,355,186.00	-13,467,561.00
Permanent and indefinite.....	5,843,321.00	5,683,321.00	-160,000.00
Total nonmilitary.....	91,666,068.00	78,038,507.00	-13,627,561.00
Total, War Department—			
Regular annual.....	337,367,328.00	327,970,465.13	-9,396,862.87
Increased compensation.....	6,102,057.00		-6,102,057.00
Permanent and indefinite.....	6,743,321.00	6,583,321.00	-160,000.00
Total.....	350,212,706.00	334,553,786.13	-15,658,919.87
District of Columbia:			
Regular annual.....	23,047,555.00	26,455,105.00	+3,407,550.00
Increased compensation.....	1,795,067.00		-1,795,067.00
Permanent and indefinite.....	1,512,843.00	1,226,962.00	-285,881.00
Total.....	26,355,465.00	27,682,067.00	+1,326,602.00
Grand total—			
Regular annual.....	2,436,410,006.78	2,167,045,220.34	-269,364,786.44
Increased compensation.....	35,811,893.00		-35,811,893.00
Private relief acts unclassified.....	262,709.88		-262,709.88
Permanent and indefinite.....	1,540,625,228.15	1,455,080,738.85	-85,544,489.30
Grand total.....	4,013,109,837.81	3,622,125,959.19	-390,983,878.62
Less sum payable from postal revenues.....	596,989,359.56	613,645,195.25	+16,655,835.69
Total, exclusive of sum payable from postal revenues.....	3,416,120,478.25	3,008,480,763.94	-407,639,714.31

¹ This sum includes \$105,467,000 for refunding internal revenue taxes erroneously collected.

NOTE.—Appropriations herein stated do not include the amounts pertaining to the second deficiency bill and the field service classification bill, both of which failed of enactment. The amount for the fiscal year 1925 in the latter bill was \$26,357,767.84 and the amount for the same year in the former bill is approximately \$175,000,000.

(C) Comparison of Budget Estimates and Appropriations, Fiscal Year 1925—Continued

[The appropriations for 1925 include amounts carried for fiscal year 1925 in regular annual appropriations acts, and amounts estimated under permanent and indefinite appropriations]

Department or establishment	Budget estimates submitted Dec. 3, 1923	Supplemental Budget estimates submitted Dec. 3, 1923, to June 7, 1924	Total Budget estimates fiscal year 1925	Appropriations, 1925, regular annual and permanent and indefinite	Increase (+) or decrease (-) appropriations compared with estimates
Legislative branch:					
Regular annual.....	\$13,783,036.25	\$988,625.40	\$14,771,661.65	\$14,229,016.00	-\$542,645.65
Permanent and indefinite.....	800.00		800.00	800.00	
Total.....	13,783,836.25	988,625.40	14,772,461.65	14,229,816.00	-542,645.65
Executive office and independent offices:					
Regular annual—					
Shipping Board.....	30,344,000.00		30,344,000.00	30,344,000.00	
Veterans' Bureau.....	349,065,000.00		349,065,000.00	349,065,000.00	
Executive and other independent offices.....	19,315,131.16	14,500.00	19,329,631.16	19,367,740.16	+38,109.00
Total.....	398,724,131.16	14,500.00	398,738,631.16	398,776,740.16	+38,109.00
Permanent and indefinite.....	6,457,301.79		6,457,301.79	6,457,301.79	
Total.....	405,181,432.95	14,500.00	405,195,932.95	405,234,041.95	+38,109.00
Agricultural Department:					
Regular annual—					
Department proper.....	38,729,825.00		38,729,825.00	39,575,274.00	+845,449.00
Roads, construction of.....	18,500,000.00		18,500,000.00	19,000,000.00	+500,000.00
Permanent and indefinite.....	12,360,750.00		12,360,750.00	12,360,750.00	
Total.....	69,590,575.00		69,590,575.00	70,936,024.00	+1,345,449.00
Commerce, Department of:					
Regular annual.....	24,045,025.00		24,045,025.00	23,939,905.00	-105,120.00
Permanent and indefinite.....	3,000.00		3,000.00	3,000.00	
Total.....	24,048,025.00		24,048,025.00	23,942,905.00	-105,120.00
Interior, Department of:					
Regular annual—					
Pensions.....	232,120,680.00		232,120,680.00	224,616,000.00	-7,504,680.00
Interior Department proper.....	39,948,651.00		39,948,651.00	38,634,455.00	-1,314,196.00
Permanent and indefinite.....	27,243,269.06		27,243,269.06	27,243,269.06	
Total.....	299,312,600.06		299,312,600.06	290,493,724.06	-8,818,876.00
Justice, Department of, and judiciary:					
Regular annual.....	21,378,456.00		21,378,456.00	21,371,430.00	-7,026.00
Labor, Department of:					
Regular annual.....	6,677,576.51		6,677,576.51	7,956,516.51	+1,278,940.00
Permanent and indefinite.....	25,000.00		25,000.00	25,000.00	
Total.....	6,702,576.51		6,702,576.51	7,981,516.51	+1,278,940.00
Navy, Department of:					
Regular annual.....	276,395,794.00		276,395,794.00	275,105,067.00	-1,290,727.00
Permanent and indefinite.....	2,103,260.00		2,103,260.00	2,103,260.00	
Total.....	278,499,054.00		278,499,054.00	277,208,327.00	-1,290,727.00
Post Office Department:					
Payable from postal revenues—					
Regular annual.....	613,093,183.50		613,093,183.50	613,645,195.25	+552,011.75
State Department:					
Regular annual.....	14,962,446.29		14,962,446.29	15,001,646.29	+39,200.00
Permanent and indefinite.....	26,000.00		26,000.00	26,000.00	
Total.....	14,988,446.29		14,988,446.29	15,027,646.29	+39,200.00

(C) Comparison of Budget Estimates and Appropriations, Fiscal Year 1925—Continued

Department or establishment	Budget estimates submitted Dec. 3, 1923	Supplemental Budget estimates submitted Dec. 3, 1923, to June 7, 1924	Total Budget estimates fiscal year 1925	Appropriations, 1925, regular annual and permanent and indefinite	Increase (+) or decrease (-) appropriations compared with estimates
Treasury Department:					
Regular annual.....	\$122, 212, 965. 00	-----	\$122, 212, 965. 00	\$120, 768, 405. 00	-\$1, 444, 560. 00
Permanent and indefinite—					
Interest on public debt.....	890, 000, 000. 00	-----	890, 000, 000. 00	890, 000, 000. 00	-----
Public debt redemption funds.....	482, 277, 975. 00	-----	482, 277, 975. 00	482, 277, 975. 00	-----
All other.....	26, 773, 100. 00	-----	26, 773, 100. 00	26, 773, 100. 00	-----
Total.....	1, 521, 264, 040. 00	-----	1, 521, 264, 040. 00	1, 519, 819, 480. 00	-1, 444, 560. 00
War Department:					
Military—					
Regular annual.....	258, 124, 006. 00	-----	258, 124, 006. 00	255, 615, 279. 13	-2, 508, 726. 87
Permanent and indefinite.....	900, 000. 00	-----	900, 000. 00	900, 000. 00	-----
Total, military.....	259, 024, 006. 00	-----	259, 024, 006. 00	256, 515, 279. 13	-2, 508, 726. 87
Nonmilitary—					
Regular annual.....	71, 733, 765. 00	-----	71, 733, 765. 00	72, 355, 186. 00	+621, 421. 00
Permanent and indefinite.....	5, 683, 321. 00	-----	5, 683, 321. 00	5, 683, 321. 00	-----
Total, nonmilitary.....	77, 417, 086. 00	-----	77, 417, 086. 00	78, 038, 507. 00	+621, 421. 00
Total, War Department—					
Regular annual.....	329, 857, 771. 00	-----	329, 857, 771. 00	327, 970, 465. 13	-1, 887, 305. 87
Permanent and indefinite.....	6, 583, 321. 00	-----	6, 583, 321. 00	6, 583, 321. 00	-----
Total.....	336, 441, 092. 00	-----	336, 441, 092. 00	334, 553, 786. 13	-1, 887, 305. 87
District of Columbia:					
Regular annual.....	25, 652, 850. 00	\$6, 800. 00	25, 659, 650. 00	26, 455, 105. 00	+795, 455. 00
Permanent and indefinite.....	1, 226, 962. 00	-----	1, 226, 962. 00	1, 226, 962. 00	-----
Total.....	26, 879, 812. 00	6, 800. 00	26, 886, 612. 00	27, 682, 067. 00	+795, 455. 00
Grand total:					
Regular annual.....	2, 176, 082, 390. 71	1, 009, 925. 40	2, 177, 092, 316. 11	2, 167, 045, 220. 34	-10, 047, 095. 77
Permanent and indefinite.....	1, 455, 080, 738. 85	-----	1, 455, 080, 738. 85	1, 455, 080, 738. 85	-----
Grand total.....	3, 631, 163, 129. 56	1, 009, 925. 40	3, 632, 173, 054. 96	3, 622, 125, 959. 19	-10, 047, 095. 77
Less Post Office (payable from postal revenues).....	613, 093, 183. 50	-----	613, 093, 183. 50	613, 645, 195. 25	+552, 011. 75
Total, exclusive of Post Office.....	3, 018, 069, 946. 06	1, 009, 925. 40	3, 019, 079, 871. 46	3, 008, 480, 763. 94	-10, 599, 107. 52

NOTE.—The estimates and appropriations herein stated do not include the amounts pertaining to the second deficiency bill and the field service classification bill, both of which failed of enactment. The amount for the fiscal year 1925 in the latter bill is \$26,357,767.84 and the amount for the fiscal year 1925 in the former bill is approximately \$175,000,000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 283) to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921.

The message also announced that the House had passed a bill (H. R. 8588) authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Services, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 107) declaring agriculture to be the basic industry of the country, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker of the House had signed enrolled bills of the following titles, and they were thereupon signed by the President pro tempore:

H. R. 4088. An act to establish the upper Mississippi River wild life and fish refuge; and

H. R. 9434. An act granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River.

MARINE HOSPITAL RESERVATION AT DETROIT

Mr. FERRIS. Now, Mr. President, I wish to ask unanimous consent—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Michigan?

Mr. FERRIS. I merely wish to ask unanimous consent for the immediate consideration of House bill 8588, authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and

to erect thereon a modern hospital for the treatment of beneficiaries of the United States Public Health Service, and for other purposes.

Mr. SMOOT. There is a subject matter now before the Senate, and there can not be two questions under consideration at the same time.

Mr. FERRIS. I ask unanimous consent for that purpose. This is the first time that I have ever made such a request.

Mr. SMOOT. I will object, and that will end it. I wish to get through with my remarks.

The PRESIDENT pro tempore. The Senator from Utah declines to yield.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had receded from its disagreement to the amendments of the Senate numbered 58 and 59 to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, and concurred therein, and that the House further insisted upon its disagreement to the amendments of the Senate numbered 29 and 34.

After the conclusion of Mr. Smoot's speech,

REPLY TO MR. SMOOT

Mr. OWEN. Mr. President, the Senator from Utah [Mr. SMOOT] has with fulsome praise recounted the accomplishments of the Republican leaders during the last four years. There is one thing that the Senator from Utah has omitted. He has omitted to point out that the Republican leaders demanded the deflation of credit and currency in their national platform of 1920, that they put that policy upon the country, and have brought about in America the greatest industrial depression which this Republic has ever known. This ridiculous self-praise of the Republican Party comes with poor grace from the conservative, reactionary, stand-pat Republican leaders who have bankrupted millions of people by the cruel and harsh policy of deflating credit and currency in this country.

That I do not exaggerate the condition is known to all of those Senators who live west of the Mississippi River; to all of those Senators east of the Mississippi River who have in their States farmers, stock raisers, and small producers who have been injured or ruined by this criminally bad policy. That is the real cause of the farmer-labor movement. The farmers and laborers and little people have been so ill-treated by this Government and its agencies under the reactionary leadership of the Republican Party that they have abandoned all parties in some States and are trying to organize a new party in order to find some relief, because they are in despair.

Do I exaggerate what has occurred? I put in the CONGRESSIONAL RECORD on June 4 the vital facts set forth in a letter from the Comptroller of the Currency. It appears on page 10717 of the RECORD. The loans and discounts of the banks as of June 30, 1920, were \$34,087,000,000.

On June 30, 1922, they were \$28,483,000,000—a contraction of loans and discounts of over five and a half billion dollars. Mr. President, such a contraction of loans and discounts never has been known before in the history of this country. Is it any wonder that the sheepmen of Nevada and of all the western country, that the stockmen of Texas and Oklahoma and Kansas and Nebraska and all of the agricultural areas of America are bankrupt? This self-praise of the conservative Republican leadership by the Senator from Utah [Mr. SMOOT] as their chosen mouthpiece, claiming to have rendered gigantic benefits to the country, will not be heard or believed by those who have been bankrupted by this wicked policy of the stand-pat, money-loving Republican leaders.

Do I exaggerate it? What have they done to the currency itself, the Federal reserve notes?

On June 25, 1920, within a few days after the famous resolution of the Senator from Illinois [Mr. McCORMICK] favoring deflation of credit and currency passed the Senate there were in actual circulation \$3,117,000,000 of Federal reserve notes and \$184,000,000 of Federal reserve bank notes, a total of \$3,301,000,000. On June 5, 1924, it had shrunk to \$1,884,000,000, a contraction of the currency of this country of \$1,517,000,000.

Sensors, when you reflect upon the fact that the history of the banking system of the United States has demonstrated that \$1 of currency in the national banks of the country has uniformly, from the beginning to the end of that system, supported \$10 of loans and discounts, \$10 of credit, is it any wonder that the shrinkage of fifteen hundred millions has caused a substantial diminution of credit of fifteen thousand millions? Is it any wonder that the people are feeling hurt? Well, they do

feel hurt. Believe me, they feel hurt. In my own State I know what has happened.

I put in the RECORD, page 10717, this report from the Comptroller of the Currency showing the bank failures that have taken place. Why, in the year ending June 30, 1919, only one bank failed in the national banking system—one bank! Since last June 121 national banks have failed up to this time and about 300 State banks. When this policy was put over the following year, ending June 30, 1921, 330 State banks and 28 national banks failed. The next year, ending June 30, 1922, 364 additional State banks and 33 national banks failed; and the next year, ending June 30, 1923, 237 State banks and 37 national banks failed. Since last June 121 national banks and over 300 State banks have failed.

Such wholesale financial, industrial, and commercial disaster has had no equal in our banking history.

Why did these banks fail? Because of this sinister, unintelligent, selfish policy trying to make the dollar more difficult to get, a policy against which I protested with all my might in the spring of 1920, and I got no adequate support. I made four speeches against it in the Senate between January and May, 1920, and printed in the CONGRESSIONAL RECORD three letters of protest to the Reserve Board and one letter to the President of the United States. I called the attention of the country then to the fact that this policy of raising the interest rates and without discrimination contracting credit would be ruinous to the country. I pointed out with all the energy at my command that it would produce a great industrial depression and ruin many of our people. After it all happened I did not feel disposed to make the welkin ring with my complaints against the members of the Reserve Board or the officers of the reserve banks whose unspeakable folly I could not prevent. They were acting as the agents of the Republican Party in power. I have been silent; but when I sit here and hear the recounting of these vainglorious deeds of the Republican Party by the Senator from Utah it is too much. I can not resist calling the attention of the Senate and of the country to what is occurring and how it occurred.

Let me read the Republican national platform of 1920 on this point:

But as the political party that throughout its history has stood for honest money and sound finance, we pledge ourselves to earnest and consistent attack upon the high cost of living—

Wonderful!

upon the high cost of living by rigorous avoidance of further inflation in our Government borrowing, by *courageous and intelligent deflation of overexpanded credit and currency.*

It was not intelligent, and it was damned cowardly. It was ruinous to the country and was dictated by a few men determined to increase the power of their dollars and to deflate labor and to deflate the farmers and stock raisers and to deflate the little producer and borrower for the benefit of the creditor class.

You need not fool yourselves and think you are fooling the country. You can not fool the country. You can fool some of the people all the time, but you can not fool all the people all the time, and there is coming upon you a judgment next November which you thoroughly deserve. You organized both Houses of Congress in 1919, and you won a glorious partisan victory in 1920. You used your power to put over the deflation policy, and used as your agency the Federal Reserve Board, a majority of whose members were ultraconservative and fundamentally of conservative opinions, entitled to be classed as stand-pat Republicans on the question of deflation.

Mr. HEFLIN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Alabama?

Mr. HEFLIN. I thought the Senator had finished. I do not want to interrupt him. I agree with the Senator.

Mr. OWEN. I wish to call attention to the conditions of employment in this country.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. OWEN. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Will the Senator yield to me to present some statistics of unemployment in the country?

Mr. OWEN. I yield.

FINANCIAL DEPRESSION AND UNEMPLOYMENT

Mr. WALSH of Massachusetts. I would not take the time of the Senate to present these statistics from Government reports were it not for the misleading statement of the administration to the effect that the country is prosperous and that there is

little unemployment. Fortunately we have a recent record from the Department of Labor concerning unemployment. The last report is for the month of April, and it shows that since April, 1923, there has been a decrease in employment in 33 of the leading industries of the country and an increase in only 13; that the losses in dollars and cents on the pay roll in various industries in one year has been 22.5 per cent in men's clothing; 20.7 per cent in cotton goods; 19.6 per cent in automobile tires.

Only one of the 12 leading groups of manufacturing industries of the country shows an increase over last year, and that is one that is relatively small. That is the group dealing in the manufacture of glass and clay.

One great textile group of industries as a whole shows a decrease of 11 per cent in the number of workers on the pay roll and 13 per cent in wages since last year.

From the figures of the Department of Labor it is evident beyond a shadow of a doubt that over 400,000 more workers are out of employment in the manufacturing industries now than a year ago, with a total loss in wages of about \$5,000,000 monthly.

Comparing unemployment in March and April of this year, we find in one month alone a decrease of 11.4 per cent in the number of employees on the pay rolls in the men's clothing industry and 16.6 per cent in wages.

The report also shows, out of every five persons employed in this country in 1920, there is one in five out of employment today. It must be noted that these statistics only record the unemployment caused by reason of having names taken from the pay roll, and it makes no record of hundreds of thousands of people of this country who are working short hours or reduced time. The records for May not yet available will increase these figures.

I thank the Senator for yielding, and I ask permission to have the statement from which I read printed in the Record as a part of my remarks.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT OF UNEMPLOYMENT IN THE UNITED STATES IN 1924
(By Senator DAVID I. WALSH of Massachusetts)

The latest official statistics compiled by the United States Bureau of Labor of employment in the leading manufacturing industries of the country during April, 1924, show that there have been gains in only 13 of the leading industries and losses in 33 of the leading industries since April, 1923. The report states that "the decreases in employment in this 12-month period were exceptionally large in a majority of these 33 industries which lost in employment." It is to be noted that these figures do not relate to partial employment, only the actual decrease in number on pay rolls:

Employment decreased:	Per cent.
Steam railroad shops	19.7
Agricultural implements	18.2
Foundry and machine shops	18.0
Men's clothing	16.5
Automobile tires	15.9
Cotton goods	14.7
Carriages	13.7
Leather	13.1
Shipbuilding	12.4
Shirts and collars	12.2
Sugar refining	11.8
Woolen goods	11.6
Stoves	11.4
Millinery and lace goods	10.8
Boots and shoes	10.3

Besides the losses in dollars and cents on the pay rolls were:

	Per cent.
Men's clothing	22.5
Cotton goods	20.7
Automobile tires	19.6

Only 1 of the 12 leading groups of manufacturing industries of the country showed an increase over last year, and that is one of the relatively smallest, namely, the stone, clay, and glass group.

Our great textile group of industries as a whole shows a decrease of 11 per cent in number of workers on pay rolls, and 13.4 per cent in wages since last year.

The iron and steel group showed a decrease of 2 per cent, and the leather group a 11 per cent decrease, chemicals a 7 per cent decrease, and tobacco a 6 per cent decrease.

From the figures of the Department of Labor it is evident beyond a shadow of a doubt that over 400,000 more workers are out of employment in the manufacturing industries now than a year ago, with a total loss in wages of about \$5,000,000 monthly.

Comparing employment in March and April of this year, we find in one month alone a decrease of 11.4 per cent in number of employees on the pay rolls in the men's clothing industry and 16.6 per cent in wages.

Index numbers of employment of the United States Department of Labor show that since 1920, 22 per cent of the workers then employed are now idle. (See U. S. Department of Labor Statistics: "Employment in Selected Industries, April, 1924," especially pp. 3, 4, and 11.)

The PRESIDENT pro tempore. The Chair recognizes the Senator from Oklahoma for his second address upon this motion.

INJURIOUS EFFECTS OF DEFLATION POLICY

Mr. OWEN. Mr. President, when I was in Oklahoma a few days ago attending a bank directors' meeting, in discussing the agricultural conditions in that section of the country I was advised by men who know, by men who themselves are cultivating large areas of land, that they are paying \$1.25 a day for laborers on the farm, and the laborer has to feed himself. Believe me, the man who is laboring on the farm under those conditions, with a woman and two or three children depending upon him for support, is not contented. He should not be contented.

If you want to make Bolsheviki, that is the way to manufacture them. If you want to cause violence and discontent, all you have to do is to contract credit and currency until you bankrupt hundreds of thousands and millions of people in this country.

Mr. FESS. Will the Senator yield for just one question?

Mr. HEFLIN. The Senator would lose the floor.

Mr. OWEN. I can not yield. I will thank the Senator to permit me to finish. I will yield the floor in one moment.

The responsibility for this policy can not be escaped. The majority in control of this Chamber on May 17, 1920, was Republican. A Republican Senator, the Senator from Illinois [Mr. McCORMICK], offered a resolution purporting to be a resolution merely calling for information. In reality it was a resolution favoring the deflation of credit and currency. It was the answer to my protests against the policy of deflation, the assumption of responsibility by the Republican Party, and the cloak of protection by that party of its agents on the Federal Reserve Board who were being criticized by me for pursuing that evil course. The resolution was agreed to. I was not present, but the following day—May 18, 1920—I registered my vehement protest.

In June, 1920, immediately following, the Republican Party leaders in national convention assembled put a plank in their national platform declaring for the policy of deflating credit and currency.

A chosen representative of that convention, as a candidate for the Presidency of the United States, Senator Warren G. Harding, put it in his speech of acceptance, declaring for a "courageous and intelligent deflation of credit and currency."

The Republicans took the full and complete responsibility of deflating the credit and currency of the country and the terrible consequences ensued. They can not now evade or escape the consequences of deflating and ruining our industry and commerce.

It is in vain for them to say that members of the reserve board were appointed as Democrats. The board was an agency of the Government and subject to the domination of the party in power, and the majority of that Federal Reserve Board entertained the view expressed in the Republican Party platform on deflation, and therefore were Republicans and not Democrats.

The Republican Party, which passed the McCormick resolution favoring deflation of credit and currency, May 17, 1920, which passed the resolution in the national platform favoring deflation of credit and currency, and nominated and elected a President who pledged himself in his speech of acceptance to deflate credit and currency, can not now hide itself behind any subterfuge. Its responsibility and conviction is complete.

Mr. FESS. Mr. President, the Senator from Oklahoma [Mr. OWEN] assaulted the deflation policy and placed the responsibility for it upon the Republican administration. I want to read into the Record the personnel of the Federal Reserve Board when the deflation policy was inaugurated. I say, in the outset, that I do not think there is strength in what the Senator has said in his assault on that policy. If it was an error, as I do not now admit, it was error of the Democratic administration.

The Federal Reserve Board, every member of which was appointed by Woodrow Wilson, was composed, at the time of the deflation policy, of David F. Houston, Secretary of the Treasury, chairman; John Skelton Williams, Comptroller of the Currency; ex-officio members: W. P. G. Harding, governor; Adolph C. Miller, Charles S. Hamlin, and Henry A. Moehlenpach, all of whom were appointed by President Wilson, and all

of whom, unless it would be Mr. Miller, notable members of the Democratic Party.

I want to put this fact in the RECORD simply to indicate whether the policy of deflation of 1920 was a Republican policy or whether it was a Democratic policy.

LAUSANNE TREATY AND CHESTER OIL CONCESSION

MR. LODGE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of State to the Foreign Relations Committee.

There being no objection, the letter was ordered printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 7, 1924.

The Hon. HENRY CABOT LODGE,
United States Senate.

MY DEAR SENATOR LODGE: My attention has been called to a resolution introduced into the Senate by Senator KING (CONGRESSIONAL RECORD of June 3, p. 10571 ff.) with regard to the Lausanne treaty and the so-called Chester concession. The treaties concluded with Turkey are now before the Foreign Relations Committee of the Senate together with the information which I felt might be useful to the committee in its consideration of these instruments. I do not feel therefore that it would be appropriate for me at this time to enter into any detailed discussion of the various allegations contained in the statement accompanying Senator KING's resolution. At the appropriate time and as desired by the Foreign Relations Committee I shall be glad to give full information with regard to any matters pertinent to the consideration of these treaties.

Certain of the statements of Senator KING are of such a character, however, that I did not feel that I should allow them to pass unnoticed, although their inaccuracy has been indicated in the information which I have already laid before the committee.

1. The charge "that the United States participated in the Lausanne conference apparently for the sole purpose of securing and confirming the Chester oil concession, and that in pursuance of that purpose vested and essential rights of American nationals in Turkey were sacrificed and Armenia forsaken, if not betrayed," is absolutely unfounded. As I stated in January last, "At no stage in the negotiations was the American position determined by the so-called Chester concession. This had been granted before negotiations of our treaty with Turkey had been begun. This Government took no part in securing it; this Government made no barter of any of its rights for this or any other concession."

Senator KING, in referring to the date of our negotiations with Turkey, has apparently confused the negotiations between the allied powers and Turkey with the negotiations of the American plenipotentiary at Lausanne and the Turkish representatives. The latter negotiations were not initiated until subsequent to May 1, 1923. While the United States was represented at Lausanne during the earlier phases of the conference, it had not prior to May, 1923, undertaken the negotiation of a treaty.

2. Senator KING contrasts the action of this Government in 1920 with respect to the Sevres treaty with that of 1923, indicating that there was in 1923 a reversal of the earlier attitude toward Turkey. It is possible that the Senator does not recall that the United States was represented at the San Remo conference in 1920, which had under consideration the treaty of Sevres, in the same capacity as at Lausanne. The United States, however, was neither a party to the treaty of Sevres nor to the Lausanne treaty of peace between the allied powers and Turkey.

3. In view of the fact that the reference in Senator KING's statement to my memorandum of October 30, 1922, with regard to the near eastern settlement is inaccurate I beg to inclose a copy of the full text of this memorandum which was given to the press at that time. At the Lausanne conference this Government stood for the principles outlined in this memorandum and was able to obtain substantial guaranties with respect to the points of interest which this communication outlined.

4. Senator KING states:

"The Allies declined to make concessions to the Turks, both on the subject of the capitulations and upon the Armenian case. The conference was deadlocked largely upon these two points, and it was finally suspended on February 4, 1923.

"Meanwhile, on April 10, 1923, the crafty Turks ratified the Chester concession. The conference was resumed on April 23, 1923, and the American observers who, during the first session of the conference, had supported the Allies, whole-heartedly in some matters, half-heartedly in others, transferred their support in all matters to the Turks, with the result that the Turks were enabled to impose their views and will upon the Allies."

This statement is totally inaccurate. In the draft treaty of peace as communicated to the Turks by the Allies on January 31, 1923, it is provided in article 26:

"The high contracting parties agree to abrogate the capitulations relating to the régime of foreigners in Turkey, both as regards conditions of entry and residence and as regards fiscal and judicial questions."

Thus prior to the adjournment of the conference on February 4 the Allies had agreed to abrogate the capitulations. This was not one of the points which brought about the interruption of the conference. Nor was the issue with respect to the Armenians instrumental in deadlocking the conference in February, 1923, since the Turkish plenipotentiary had agreed to the provisions of the allied treaty as communicated on January 31, which related to the protection of minorities. The statement that the American representatives after the adjournment "transferred their support in all matters to the Turks, with the result that the Turks were enabled to impose their views and will upon the Allies," is utterly false.

5. In answer to the allegation that the treaty surrenders American rights and interests, I would call your attention to the fact that the Americans who have interests in Turkey, whether philanthropic or commercial, have urged its ratification.

6. Senator KING's remarks with regard to the status of American philanthropic and missionary work in Turkey are both inaccurate and misleading. In this connection it is significant that the Americans who are responsible for carrying on this work in Turkey have indicated their view that their work could best be aided by the ratification of the treaty with Turkey, and have submitted encouraging reports of recent progress.

In case there are any further points in Senator KING's statement on which the committee might desire to obtain additional information, I shall be most happy to furnish it.

I am, my dear Senator LODGE,

Very sincerely yours,

CHARLES E. HUGHES.

(Inclosure: Aide-memoire of October 30, 1922.)

DEPARTMENT OF STATE

The following communication was transmitted to the British, French, and Italian Governments through the American embassies at London, Paris, and Rome on October 30:

"AIDE-MEMOIRE

"The conference proposed for the purpose of drawing up a treaty of peace with Turkey will have primarily to deal with the problems resulting from the state of belligerency between the allied powers, Turkey, and Greece. The United States was neither at war with Turkey nor a party to the armistice of 1918 and does not desire to participate in the final peace negotiations or to assume responsibility for the political and territorial adjustments which may be effected.

"While maintaining this reserve in regard to certain phases of the Near East settlement the Government of the United States does not desire to leave the impression that it regards its interests as less entitled to consideration than those of any other power, or that it is disposed to relinquish rights enjoyed in common with other powers, or proper commercial opportunity, or that it is unconcerned with the humanitarian interests involved.

"For the purpose of clarity certain subjects of particular American concern may be briefly summarized:

"(1) The maintenance of capitulations which may be essential to the appropriate safeguarding of non-Moslem interests.

"(2) The protection, under proper guaranties, of philanthropic, educational, and religious institutions.

"(3) Appropriate undertakings in regard to the freedom of opportunity, without discrimination or special privilege, for commercial enterprise.

"(4) Indemnity for losses suffered by Americans in Turkey as a result of arbitrary and illegal acts.

"(5) Suitable provisions for the protection of minorities.

"(6) Assurances touching the freedom of the Straits.

"(7) Reasonable opportunity for archeological research and study.

"This brief summary, while not exhaustive, may serve to indicate the general nature of American interests. To safeguard such interests and to facilitate the exchange of views the Government of the United States is prepared to send observers to the proposed conference if this action is agreeable to the powers concerned. Without participating in the negotiations of the treaty of peace, these observers would be able to indicate this Government's position in greater detail than is possible in this aide-memoire, and they could also inform the American Government of the attitude of other powers in matters where there are mutual interests.

"As the object in view in submitting this suggestion is the elimination of any possible cause of misunderstanding, it is considered appropriate to call attention to the attitude of the United States in respect to secret treaties and agreements. It is not felt that arrangements previously made with respect to Turkish territory, which provide for the establishment of zones of special commercial and economic influence, such, for example, as the tripartite agreement of 1920, are con-

sonant with the principle of the equality of economic opportunity. It is assumed that the allied powers will not now desire, and do not now intend, to carry into effect previous arrangements of this nature.

"The United States has no desire to take any action which might embarrass the allied powers in the proper effort to secure peace. It desires nothing which need conflict with the interests of other countries, if the principle of commercial opportunity for all nations is recognized at the outset. The United States has no intention of seeking for itself or its nationals a position of special privilege, but it desires to protect its rights and to assure the open door. Finally, it wishes to afford protection to its citizens who wish to continue the humanitarian work which has been carried on for generations in the Near East and is rendered more essential than ever by the present conditions."

PIMA INDIANS

Mr. McNARY. Mr. President, I ask permission to have printed in the RECORD a letter addressed to me by a former citizen of Sacaton, Ariz., with reference to the Pima Indians.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

611 MARYLAND AVENUE NORTHEAST,
Washington, D. C., June 6, 1924.

Hon. CHARLES L. McNARY,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR McNARY: On September 3, 1910, I was commissioned as missionary by the Board of Home Missions of the Presbyterian Church of the United States of America and assigned to assist the Rev. Charles H. Cook, D. D., missionary in charge of the work among the Pima Indians at Sacaton, Ariz. Doctor Cook carried on the work among the Pimas since December 23, 1870. Doctor Cook being honorably retired in 1914, I succeeded to the work founded by him. When Doctor Cook went among the Pima Indians they were an agrarian people, cultivating and farming their own lands by irrigation, and from the reports of the earliest travelers through that section of the country the Pimas were one of the first original people to irrigate their lands from the Gila River. The country to the east of them was taken up by white settlers and the water appropriated from the river that had plenty of water to irrigate their crops. Gradually, by the appropriation of the water from the river by the whites, the supply of the Indians was reduced until all the land which had been cultivated by them for centuries became a barren waste.

The Pimas have always been a law-abiding peace-loving tribe of Indians, and one of their boasts is that they have never shed the blood of the white man, and by reason of their unbroken friendship to the Federal Government the Pimas aided the Government troops to subdue the Apaches in campaigns costing the Federal Government more than \$42,000,000.

Gradually, by reason of the white settlers above them diverting the waters from the river, the cultivated land of the Pimas was reduced to barren and desert lands. Being wards of the Government they could not protect their rights through the courts. Therefore, the future looked dark, for they did not want to become ration Indians.

At this time Doctor Cook, with the help of several high officials of the Presbyterian Church, the Indian Rights Association, and other friends, brought this matter to the attention of the late President McKinley, who gave his word to Doctor Cook that this injustice would be righted and that the Pimas, who are a proud people and who glory in their agricultural supremacy of ancient times, would have a portion of the waters of the Gila restored to them, which would revive their pristine vigor and the fruits of their industry would not perish from the earth. The untimely death of the late President McKinley retarded the work of righting the wrong done the Pimas and Doctor Cook passed to his reward in 1917 without the work being accomplished. And it was at this time that I undertook to complete the work begun by Doctor Cook 25 years prior to his death.

In February, 1923, the Arizona Christian Endeavor Union held its State convention at Sacaton and bestowed the high honor of the office of president of this worthy organization upon me. I was assured by this organization that it would back me in the fight we were making to get justice for the Pimas. I was sent as one of the delegates to the World's Christian Endeavor Union, held in Des Moines in the first part of July, 1923.

On Friday, July 6, 1923, I had the honor to deliver an address before 13,000 delegates at that convention. Those delegates, by rising vote, pledged to work until the battle for the rights of these original Americans, the Pima Indians, should have been won. I spoke before numerous chambers of commerce, Rotary and Kiwanis Clubs throughout the country in behalf of these Indians.

As a result of this long chain of circumstances I was sent to Washington to assist in securing an adequate bill for the proper relief and care of the Pima Indians. This is an accomplished fact. The so-called Cameron San Carlos bill has passed the Senate and House. Therefore, my dear Senator, in writing this I can, through you, express to all the full appreciation of the citizens of Arizona and voice the sentiment

of the great church organizations and the various national societies interested in a full measure of Government recognition, righting a wrong of more than half a century to the Pima Indians, as provided in this legislation, better known as the Cameron bill.

No individual can claim the sole honor of this splendid accomplishment of right and justice, nor do I believe any individual expects all the credit. Perhaps I have a better personal knowledge of the work done by individuals and organizations than any other, because I came here and saw the first steps taken and have remained here actively engaged, with full knowledge of every move made by all until the final happy ending. Therefore I feel it befitting to mention some of those most active and important. Full praise and glory are given to the various church organizations, Protestant, Catholic, and Mormon; to Kiwanis and Rotary clubs throughout the United States; to women's clubs and their various organizations; Indian Rights and Welfare Association; chambers of commerce and other similar civic organizations; also, to newspapers and other publications. Individually allow me to mention the untiring efforts of Judge O. J. Baugh, president of the San Carlos Association, and its members; Senator HENRY F. ASHURST; Congressman HOMER P. SNYDER, chairman of the Indian Affairs Committee of the House; Congressman HARRIS J. BIXLER, of the Rules Committee of the House; Senator C. L. McNARY, chairman of the Reclamation Committee of the Senate; Senator JOHN W. HARRELD, chairman of the Indian Affairs Committee of the Senate; Senator WESLEY L. JONES; Speaker GILBERT, of the lower House; Congressman NICHOLAS LONGWORTH, floor leader; Congressman LOUIS C. CRAMPTON; Gov. G. W. P. Hunt, of Arizona; Hon. Hubert Work, Secretary of the Interior; Hon. Charles H. Burke, Commissioner of Indian Affairs; Gen. Lord, Director of Federal Budget; and Hon. Bascom Sloop, secretary to the President. More specifically may I point out the splendid work and co-operation of Hon. CARL HAYDEN, who, with his friends of the lower House, was vigorous in passing the bill in that body. He received wonderful support from Congressman SNYDER, chairman of the Committee on Indian Affairs, which will long be remembered by us.

Also I must mention with all emphasis the interest and personal efforts of our great President, Calvin Coolidge, who in the darkest eleventh hour came to the rescue to make sure our hopes were not in vain, and to this great and peerless leader we extend our heartfelt thanks for his noble and humane consideration. With all the tributes thus paid I would be derelict should I not say with all earnestness and candor that to RALPH H. CAMERON, the junior Senator from Arizona, belongs by far the greatest credit of all in passing this legislation. Senator CAMERON was commissioned by the people of Arizona with the pledge to secure the San Carlos Dam. He came to Washington with everything against him to do what had often been said was the impossible. He realized his task and was undaunted. He smiled at defeat and renewed each time his determination to win. He was even buried in effigy in Casa Grande, Ariz., but, true to his promise, nothing seemed to deter him.

When I came to Washington December last to feel out the situation nothing was on the horizon but dark clouds of impossibility. I spent days talking with officials, from the highest to the lowest, and without exception they all said, "It can not be done." One day after much study and thought I entered the office of Senator CAMERON, and there in the outer office received no encouragement, but was admitted courteously into the Senator's private office. After the usual greeting so characteristic of the genial statesman I handed him the rough draft of a San Carlos bill and seated myself opposite him. He read it with silent emotion, and when through he rose and with his usual vigor pounded his fist upon the broad desk between us and said, "If God lets me live until the United States Senate meets again I will introduce this bill and pass it this session." This was my first and only encouragement.

Like a whirlwind the battle was on. CAMERON in rapid succession secured a unanimous report of the Indian Affairs Committee of the Senate, passed the bill by a unanimous vote, even in the face of opposition of those old-time leaders. Well do I remember seeing him in action on the Senate floor one day with all the force in him pound his fist, in a passionate appeal, on the desk of one of the leaders opposing him, which sent shivers to my heart, but evidently it carried the day, for the bill passed.

Senator CAMERON did not stop there. He immediately followed up his victory and helped marshal all forces for the battle in the lower House where Congressmen SNYDER and HAYDEN extended splendid assistance. Time passed. A vote seemed impossible because of the nearing of the adjournment of Congress and the impending legislative jam which always occurs. CAMERON was more determined than ever. Letters, telephone calls, and personal visits were made daily by him to House leaders, Interior Department, Director of the Budget, and especially to the President and the White House. Finally, on Monday, June 2, 1924, the critical hour came. Only four more days remained until Congress was to adjourn. A vote seemed doomed. Senator CAMERON called me into his office and said:

"Lay, we are at the breaking point; all our ammunition has been used without avail; all except one load. That will be used this very morning."

He called a stenographer and hurriedly dictated a letter to the President, as follows:

"MY DEAR MR. PRESIDENT: You will recall that I have conferred with you several times about legislation providing for the construction of the San Carlos Dam in Arizona, as embodied in my bill, S. 966, which passed the Senate unanimously on April 3, 1924. Since that time it has been considered by the Committee on Indian Affairs of the House and reported favorably to the House by a unanimous vote of that committee.

"The first of the week Chairman SNYDER of the House Committee on Indian Affairs and Congressman THEODORE E. BURTON called upon the Speaker and asked special recognition under suspension of the rules for the consideration of the San Carlos bill. The Speaker gave them no encouragement, and I hope you will pardon the presumption on my part in making the personal request that, if consistent, you express your interest in this matter to the Speaker. I am sure, if this is done, special recognition will be given, and, if so, it would only require a few minutes to pass the bill, as a poll of the House discloses no opposition to it in either party. As this legislation has been favorably indorsed by the Interior Department, and the Commissioner of Indian Affairs has been working diligently for it and is urging its enactment at this session, there is no occasion for debate, so I feel I am not inconsistent in preferring this request.

"My dear Mr. President, if this were merely a political measure affecting me or my State locally, I would not feel justified in trespassing upon your time in this way, but there is a deep moral issue involved, as is attested by the support that has been given to this legislation by the heads of the Protestant, Catholic, and Mormon Churches of this country from coast to coast. I venture there is not a Member of Congress who has not received appeals in behalf of this legislation. As the head of our Nation, I can appreciate your feeling of deep responsibility to the Indians who are the wards of the whole Nation, and it is on this ground that I now appeal to you, as this bill will right a wrong which the Pima Indians have suffered at the hands of the white people for the past half century or more. The Pimas have always been the outstanding friends of the white men among the Indians of the West, and have an unbroken record of never having shed the blood of a white man. But the white settlers have done them an almost irreparable injury. They have absolutely deprived these Indians of their water, and as a consequence the Indians have been for the past few years in destitute circumstances and are now facing starvation.

"Permit me to again call your attention to the fact that President McKinley sponsored in the main this same relief legislation, and had it not been for his untimely death this grave wrong would have been righted during his administration.

"Inasmuch as I have exhausted every means of securing a vote in the House on this measure, I am appealing to you as a last hope, and I know you will not fail us.

"Expressing the very earnest hope that you will find time to give this your personal attention, I am,

Faithfully yours,

"RALPH H. CAMERON.

"To the PRESIDENT, the White House."

A few minutes elapsed, it was signed, and CAMERON went to the White House, saw President Coolidge, handed him the letter above, and stood by his side until he read it, and then explained his mission, the critical condition of the San Carlos bill, and told the President that he alone could secure consideration in the lower House. The President paused and said, "Senator, I will get in touch immediately with the Speaker and see what can be done." The President kept his word and that very afternoon Speaker GILLET announced the Cameron bill was on his list to be passed, and on June 4 it was approved. Thus did RALPH H. CAMERON keep his word to the people of Arizona who sent him to the Senate. By so doing he did what others said was the impossible, and by so doing he righted a wrong of more than half a century against the Pima Indians. His work will make an Eden out of a desert, where thousands of homes will be erected; he has builded for his name and career a monument which will last forever for the good of all.

My dear Senator McNARY, I have written this letter to you because you are one of the outstanding statesmen of the West, a friend of reclamation, and for the further reason that this may serve as a testimonial that your work has been fully appreciated.

Sincerely yours,

DICK LAY, *Sacaton, Ariz.*

Mr. CAMERON. Mr. President, in connection with the letter just referred to by the Senator from Oregon, I ask permission to have printed in the RECORD a few verses entitled "Pima Land."

There being no objection, the verses were ordered to be printed in the RECORD as follows:

PIMA LAND

[Tune, "Maryland, my Maryland"]

You ask what land I love the best,
Pima Land, dear Pima Land,
A country in the Golden West,
Pima Land, dear Pima Land.
From where the River Gila flows,
The landscape in the sunlight glows;
The desert blossoms as the rose,
Pima Land, dear Pima Land.

See yonder fields of richest grain,
Sacaton, dear Sacaton;
It grows so well in sun and rain,
Sacaton, dear Sacaton;
The desert has a charm for me,
The mountains all around I see,
I scarce can tell what charm there be,
Sacaton, dear Sacaton.

Adobes scattered here and there,
Pima Land, dear Pima Land;
Coyote howls ring through the air,
Pima Land, dear Pima Land.
The children love the cacti grand
That on the foothill mesa's stand;
And from their youth they understand
Pima Land, dear Pima Land.

The sunny skies and genial clime,
Sacaton, dear Sacaton,
Bring rosy cheeks and health sublime,
Sacaton, dear Sacaton.
In merry games we find delight
Before the evening takes its flight;
Till sweet the bugle blows good night,
Sacaton, dear Sacaton.

MARINE HOSPITAL RESERVATION AT DETROIT

Mr. FERRIS. Mr. President, I ask unanimous consent—and this is the first favor I have asked in this session of Congress—for the immediate consideration of House bill 8588, just sent over from the House.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 8588) authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service, and for other purposes, which was read twice by its title.

Mr. FERRIS. Mr. President, I ask for the immediate consideration of the bill. This has been voted on in the House, two votes having been taken, the standing vote resulting in 103 in favor of the bill and 2 against it, and on a roll call, 316 to 5, and the President to-day has indorsed the sale of this property. It does not involve the taking of a dollar out of the Treasury, but it is for sale of the present marine hospital, which is unfit, and for the purchase, with the funds derived from that sale, of grounds for an appropriate marine hospital. The ex-service men of Michigan and all concerned are in favor of the bill.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. NORBECK. Reserving the right to object, I do not care to object unless this would lead to debate. I do not want it to supplant the unfinished business.

The PRESIDENT pro tempore. It will have no effect on the motion of the Senator from South Dakota. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE DOINGS OF THE REPUBLICAN ADMINISTRATION

Mr. HEFLIN. Mr. President, I have listened with keen interest to the speech of the Senator from Utah [Mr. SMOOT]. The Senator has praised what he calls the achievements of the Republican Party. This administration is marked with the wreck and ruin of the legitimate business of the masses of the people, while millionaires multiplied under Republican rule into thousands and tens of thousands. Because these tens of thousands who are rich and prosperous on special privileges are reveling in increased riches, the Republican leaders say we

have prosperity. There is no real prosperity amongst ninety-odd millions of American people. There is a state of uncertainty, a feeling of anxiety and unrest, and general dissatisfaction with economic conditions throughout the country.

The Senator from Oklahoma [Mr. OWEN] in his able and unanswerable speech has told you how the Republican Party literally struck down and destroyed legitimate business in 1920 and 1921. Think of those who control the lifeblood of business, the currency and the credit of the people, withdrawing it in vast quantities from circulation, and leaving an inadequate supply to meet the business needs of the people. We have had that situation under Republican rule. We are suffering from it now. The Senator from Ohio [Mr. FESS] undertakes to say that the Federal Reserve Board during the period of ruinous deflation was a Democratic board. I deny it. Mr. Willis, of Cleveland, Ohio, was on the board. He is a Republican. Mr. Platt, of New York, was a member of the board. He is a Republican, as was Governor Harding, who supported the Republican ticket in the election of 1920. Three out of the five, then, were Republicans and doing the bidding of the Republican Party.

The Republicans were in control of both branches of Congress. The progressive interest rate amendment to the Federal reserve act was introduced in both branches of Congress by Republicans, and that amendment was passed by a Republican Congress. Under that amendment progressive interest rates ranging from 6 to 87½ per cent were charged to the people of the South and West, while the eastern section of the country got money at about 6 per cent.

Mr. President, I want to print in my speech at this point what the able Senator from Oklahoma [Mr. OWEN] has just said:

REPLY TO MR. SMOOT

Mr. OWEN. Mr. President, the Senator from Utah [Mr. SMOOT] has with fulsome praise recounted the accomplishments of the Republican leaders during the last four years. There is one thing that the Senator from Utah has omitted. He has omitted to point out that the Republican leaders demanded the deflation of credit and currency in their national platform of 1920, that they put that policy upon the country, and have brought about in America the greatest industrial depression which this Republic has ever known. This ridiculous self-praise of the Republican Party comes with poor grace from the conservative, reactionary, stand-pat Republican leaders who have bankrupted millions of people by the cruel and harsh policy of deflating credit and currency in this country.

That I do not exaggerate the condition is known to all of those Senators who live west of the Mississippi River; to all of those Senators east of the Mississippi River who have in their States farmers, stock raisers, and small producers who have been injured or ruined by this criminally bad policy. That is the real cause of the farmer-labor movement. The farmers and laborers and little people have been so ill-treated by this Government and its agencies under the reactionary leadership of the Republican Party that they have abandoned all parties in some States and are trying to organize a new party in order to find some relief, because they are in despair.

Do I exaggerate what has occurred? I put in the CONGRESSIONAL RECORD on June 4 the vital facts set forth in a letter from the Comptroller of the Currency. It appears on page 10717 of the RECORD. The loans and discounts of the banks as of June 30, 1920, were \$34,087,000,000.

On June 30, 1922, they were \$28,483,000,000—a contraction of loans and discounts of over five and a half billion dollars. Mr. President, such a contraction of loans and discounts never has been known before in the history of this country. Is it any wonder that the sheepmen of Nevada and of all the western country, that the stockmen of Texas and Oklahoma and Kansas and Nebraska and all of the agricultural areas of America are bankrupt? This self-praise of the conservative Republican leadership by the Senator from Utah [Mr. SMOOT], as their chosen mouthpiece, claiming to have rendered gigantic benefits to the country, will not be heard or believed by those who have been bankrupted by this wicked policy of the stand-pat, money-loving Republican leaders.

Do I exaggerate it? What have they done to the currency itself, the Federal reserve notes?

On June 25, 1920, within a few days after the famous resolution of the Senator from Illinois [Mr. McCORMICK] favoring deflation of credit and currency passed the Senate, there were in actual circulation \$3,117,000,000 of Federal reserve notes and \$184,000,000 of Federal reserve bank notes, a total of \$3,301,000,000. On June 5, 1924, it had shrunk to \$1,884,000,000, a contraction of the currency of this country of \$1,517,000,000.

Senators, when you reflect upon the fact that the history of the banking system of the United States has demonstrated that \$1 of currency in the national banks of the country has uniformly, from the beginning to the end of that system, supported \$10 of loans and discounts, \$10 of credit, is it any wonder that the shrinkage of fifteen

hundred millions has caused a substantial diminution of credit of fifteen thousand millions? Is it any wonder that the people are feeling hurt? Well, they do feel hurt. Believe me, they feel hurt. In my own State I know what has happened.

I put in the RECORD, page 10717, this report from the Comptroller of the Currency showing the bank failures that have taken place. Why, in the year ending June 30, 1919, only one bank failed in the national banking system—one bank! Since last June 121 national banks have failed up to this time and about 300 State banks. When this policy was put over the following year, ending June 30, 1921, 330 State banks and 28 national banks failed. The next year, ending June 30, 1922, 364 additional State banks and 33 national banks failed; and the next year, ending June 30, 1923, 237 State banks and 37 national banks failed. Since last June 121 national banks and over 300 State banks have failed.

Such wholesale financial, industrial, and commercial disaster has had no equal in our banking history.

Why did these banks fail? Because of this sinister, unintelligent, selfish policy trying to make the dollar more difficult to get, a policy against which I protested with all my might in the spring of 1920, and I got no adequate support. I made four speeches against it in the Senate between January and May, 1920, and printed in the CONGRESSIONAL RECORD three letters of protest to the Reserve Board and one letter to the President of the United States. I called the attention of the country then to the fact that this policy of raising the interest rates and discriminatingly contracting credit would be ruinous to the country. I pointed out with all the energy at my command that it would produce a great industrial depression and ruin many of our people. After it all happened I did not feel disposed to make the welkin ring with my complaints against the members of the Reserve Board or the officers of the reserve banks whose unspeakable folly I could not prevent. They were acting as the agents of the Republican Party in power. I have been silent; but when I sit here and hear the recounting of these vainglorious deeds of the Republican Party by the Senator from Utah it is too much. I can not resist calling the attention of the Senate and of the country to what is occurring and how it occurred.

Let me read the Republican national platform of 1920 on this point:

"But as the political party that throughout its history has stood for honest money and sound finance, we pledge ourselves to earnest and consistent attack upon the high cost of living"—

Wonderful!

"upon the high cost of living by rigorous avoidance of further inflation in our Government borrowing, by courageous and intelligent deflation of overexpended credit and currency."

It was not intelligent, and it was damned cowardly. It was ruinous to the country and was dictated by a few men determined to increase the power of their dollars and to deflate labor and to deflate the farmers and stock raisers and to deflate the little producer and borrower for the benefit of the creditor class.

You need not fool yourselves and think you are fooling the country. You can not fool the country. You can fool some of the people all the time, but you can not fool all the people all the time, and there is coming upon you a judgment next November which you thoroughly deserve.

And, Mr. President, I will print in my speech following the statement from the speech of the Senator from Oklahoma a very interesting statement entitled "Retrospect and outlook."

RETROSPECT AND OUTLOOK—A COMPARISON OF BANK FAILURES AND BUSINESS FAILURES LAST THREE YEARS UNDER WILSON AND PAST THREE YEARS UNDER HARDING AND COOLIDGE—THE OUTLOOK FOR 1924

The business record of the past year has not been satisfactory for the country as a whole. Certain special interests have prospered and grown fat while many others have languished or been ruined.

The great farming classes have suffered because in vast sections of the country the farmer has received unusually low prices for what he had to sell, and largely as a result of the protective tariff has been forced to pay high prices for the things he had to buy, whether they were necessities or luxuries.

A little study of business and industrial conditions for the past three years under the Republican administration as compared with the last three years under President Wilson will show how badly the voters of the country were flimflammed by Republican promises when they consented to a change of administration in the autumn of 1920 and repudiated for a while the men and policies under whose direction and guidance our country had not only won the greatest war in all history but had established here the greatest prosperity which any country had ever seen.

The official records compiled by the Dun Mercantile Agency are illuminating in this connection. They tell us that in the one year 1923 there were nearly twice as many bank failures in this country as there were during the whole of the last five years of the Wilson administration, or, say, for the calendar years 1916 to 1920, both inclusive.

Furthermore, the total liabilities of the failed banks in the one calendar year 1923 amounted to more than the total liabilities of all failed banks, both national and State, for the entire seven-year period from 1914 to 1920, both inclusive. The following figures are compiled from reports of R. G. Dun & Co.:

	Total number of bank failures	Liabilities
Under Wilson administration:		
1918.....	20	\$5,131,887
1919.....	50	16,520,862
1920.....	119	50,708,300
Total, 3 years.....	189	72,361,049
Under Harding-Coolidge administration:		
1921.....	404	173,027,776
1922.....	277	77,735,551
1923.....	540	196,790,000
Total, 3 years.....	1,221	447,553,327

Both in number and in the aggregate of liabilities the bank failures in the past three years have been six times as great as for the preceding three years under President Wilson.

The reports also show that in the past calendar year there were failures of 70 national banks. More national banks failed in this country last year than during the entire period of seven years under the Wilson administration from 1914 to 1920, both inclusive, including the period of the World War and the two years of reconstruction which followed.

In the year 1923 alone there were seven times as many failures of national banks as in the three fiscal years 1917, 1918, and 1919 all combined under President Wilson.

Business men who were promised flush times and prosperity with a Republican victory will find the following figures very instructive as to business failures in the three years under Republican rule as compared with the three years immediately preceding:

Business failures under Wilson and under Harding and Coolidge

	Number of business failures	Liabilities of failed firms
Under Wilson:		
1918.....	9,982	\$163,019,979
1919.....	6,451	113,291,237
1920.....	8,881	295,121,805
Total.....	25,314	571,433,021
Under Harding and Coolidge:		
1921.....	19,652	627,401,883
1922.....	23,676	623,896,251
1923.....	18,729	530,582,000
Total.....	62,048	1,781,830,134

Total number of business failures last three years under President Wilson..... 25,314
 Total number of business failures past three years under Harding-Coolidge..... 62,048

Increase in number of business failures in past three years under Republican rule as compared with the last three years under the Wilson administration..... 36,734

Liabilities of failed firms last three years under President Wilson..... \$571,433,021
 Liabilities of failed firms past three years under Harding-Coolidge..... \$1,781,830,134

Increase in business failures past three years under Republican rule..... \$1,210,397,113

These ghastly totals from the business casualty list are exclusive of tens of thousands of farmers, cattle growers, and individuals who have been ruined during the past three years and who have been sold out under the sheriff's hammer, but whose failures are not recorded with the mercantile agencies.

The above statement, furnished me by my good friend John Skelton Williams, should command the attention and receive the thoughtful consideration of every intelligent voter in the country.

It tells the story of Republican incompetency and subserviency to predatory interests.

A Republican Congress found the country prosperous and happy March 4, 1919, and in less than two years' time turned it into a land of business lamentation and sorrow.

Mr. President, some people do not seem to realize how important a part money and credits play in the economic life of the masses of the people.

Money is the measure of value and is given in exchange for the things that the people have to buy and sell. Hence the necessity of having enough money in circulation to meet the business needs of the people.

Money is the lifeblood of business, and in order that the body of business may be kept healthy and strong it is necessary that money in sufficient quantity be kept constantly circulating in the body of business.

They who toil and produce and they who use their sense and strength in legitimate activities of any kind are entitled as a matter of right to demand that the circulating medium, or money supply, be sufficient to meet business needs in such a way as to enable them to make their business a success. In other words, if losses or failures should come, they should be from other causes and not because the money supply was insufficient to fully meet the business needs of the community. The Government, and rightly so, reserves to itself the right to print bills and coin metal into money. Then it is clear that it is the duty of the Government to see to it that the circulating medium, or the money supply, is large enough to meet the business needs of all the people all the time. No right-thinking person can deny the soundness of that proposition.

The failure to have in circulation money sufficient to meet the business needs of the people places their business at a disadvantage and leaves them helpless in the hands of those who control the insufficient measure of value that they must accept in exchange for that which represents their toil, skill, and investments.

It is easy to understand that if it requires a million dollars to handle the business of a certain community and you withdraw from that community a half million dollars, you have reduced the measure of value for the goods and products of that community to just half of what it was before, and you have reduced the purchasing power and debt-paying power of the products of that community to just half of what they were before. So it is a serious thing with the business of the masses of the people when the money which measures the value of their products is reduced in quantity and the instrument of exchange made too small to enable them to obtain a profit and make a success of their business.

THE PANIC OF 1920 AND 1921

In the early fall of 1918 certain conscienceless Wall Street financiers, who under Republican rule used to own and manipulate the old panic-breeding banking system in New York, realizing that the end of the war was near, commenced to do everything in their power to elect a Republican Congress. They saw in Republican success, in the election of a Republican Congress, an opportunity to so change and cripple the Federal reserve banking system as to enable them to use it in such a way as to produce a panic. They who used to produce a panic every few years and threaten to bring one on under the old banking system whenever they wanted to beat down the price of cotton, grain, or stocks on the exchange had been deprived of that power for nearly six years under the Federal reserve banking system.

The Democratic Party had been in power during that time and Wall Street was keen and hungry for a financial feast, such as they used to enjoy in the old panic days when the Republicans were in power. To that greivous gang the field was an inviting one. A panic would enable them to make millions on the falling prices of cotton, grain, and Liberty bonds. The first step to that end was to elect a Republican Congress. They succeeded in doing that. Then they commenced to set the trap for a panic.

The first thing they did after electing a Republican Congress was to throw the Federal farm loan banking system into the Supreme Court and shut off loans from that source.

The farmers of the South and West had borrowed from the farm-loan banks more than \$300,000,000. They had lifted old mortgages, hoary with age, from the family roof tree and bought homes and farms for hundreds of thousands of young farmers. But the doors of the farm-loan banks were now closed and we could not get a dollar from that source.

The plot thickens, and the panic-producing machinery is being rapidly arranged for the deadly work that was done later on.

The next move in the deep-laid plan to produce a panic was to fasten on the Federal reserve banking system, by amendment, a progressive interest or rediscount rate, under which usurious interest could be charged, ranging from 10 to 100 per cent. The South and West and the other agricultural sections had a right to demand and a right to expect that a sufficient amount of money be sent into the two sections to enable the cotton and grain producers to market their products so as to obtain a profit and make a suc-

cess of their business. The Republican Congress succeeded in passing that amendment and thus perfecting their plans for bringing on a panic. The stage is now set and the dreadful tragedy is ready to begin. On May 18, 1920, a Republican Senate passed a resolution in favor of deflation. Senator OWEN, of Oklahoma, an able and courageous Senator, one of the authors of the Federal reserve banking system, stated in the Senate at the time the deflation resolution passed that it was a peg on which they intended to hang their plan for a panic, and he was right about it.

The Republican convention met at Chicago in June, 1920, to nominate a candidate for President and write a platform. It will be remembered that Senator BORAH, a Republican Senator from Idaho, stated at Chicago on that occasion that what he saw there on the part of the big financiers, who were trying to control the Republican convention, reminded him of the corrupt and degenerate days when the emperorship of Rome was bought outright—sold on the auction block to the highest bidder.

That Republican convention in its platform declared in favor of a policy of deflation. Hon. Warren G. Harding was nominated by the Republican convention for President. In his acceptance speech he declared in favor of a policy of deflation.

The time had come for action. No longer was it necessary to keep their purpose hid. All of the arrangements for bringing on the panic had been made. The farm-loan banks were closed; the War Finance Corporation was closed; and the Republican Congress had fastened on the Federal reserve banking act that cruel and criminal progressive interest rate amendment, under which the panic of 1920 and 1921 was brought about and under which a bank in Alabama was charged 87½ per cent. They never disclosed to the public their purpose to produce a panic until it was too late for the farmers, merchants, and bankers of the South and West, and honest business men of the country generally, to take the steps necessary to protect their interests. If they had started their deflation panic in January, the farmer would have known how to shape his business so as to make his losses on the year's transactions as light as possible. He would not have involved himself and his property on such a large scale as he did if he had known what was going to happen to reduce his debt-paying power and destroy the value of agricultural products. But they did not start it in January—oh, no! The big eastern manufacturer and wholesale merchant said wait. The Fertilizer Trust said wait. Wait until we unload our goods at top-notch prices on the merchants of the South and West. Wait until we can dispose of our fertilizer on the basis of 40-cent cotton. Wait until we can sell our agricultural implements to the farmers of the South and West. Wait until southern and western bankers commit themselves and back the merchants and farmers in buying our goods at high prices and tie themselves up so they can not get out. Wait until these things have been done and a large crop has been planted and then you can bring on your panic.

A splendid southern gentleman and the distinguished editor of one of the South's greatest newspapers told me that a manufacturer told him that the manufacturers succeeded in having the panic held off until they had disposed of their goods.

Think of the banking system of the Nation—the currency and credit facilities of a hundred millions of people—being manipulated in the interest of a favored few to the embarrassment and hurt and injury of millions of people!

One day I was speaking in the Senate on this phase of the deflation panic, and when I finished a Republican Senator from the West, himself a millionaire, came to me and said: "You are right about them sending word to certain people that the panic was coming. They sent me word several days before it came and suggested that I do the thing necessary to protect myself and prevent losses." He told me that the panic cost him thousands of dollars.

The laboring men and the wage earners were not notified. The doctors, lawyers, preachers, and teachers were never told that business disaster was drawing near, that a financial panic was on its way to destroy prosperity and devour the substance of the people. Why were the big financial high-brows singled out and notified in advance of the panic and the masses of the people left without warning to the furies of a storm that left wreck and ruin and death in its wake?

If the big financiers and manufacturers were entitled to have information in advance that a panic was coming, by what rule of right and law of justice should such vital information be withheld from the other people of the United States? By giving notice to the big financiers and manufacturers they enabled them to shape their business and prevent losses that otherwise would have come before anybody else knew that financial trouble was

brewing. Not only that but by telling them in advance that the panic was coming at a certain time they enabled them to speculate on a certainty on the falling prices of cotton, grain, and Liberty bonds, and acting on their advice the big fellows made millions of dollars.

I have never criticized the Federal reserve banking system. I helped to create it. I have simply fought to hold it true to the purpose of its creation. I felt that it was my duty to the people that I represent, and to the whole people, to do my utmost to have that great banking system serve the business needs of the people everywhere, honestly and effectively, just as it was capable of doing and had done.

CRIPPLING DEBT-PAYING POWER

Bankers, merchants, farmers, and others with whom I have talked agree with Democratic leaders that the circulating medium, or volume of money, under which the year's business is commenced in January should not be reduced or curtailed until the business commitments and contracts for that year have been settled. They agree with me that it is unfair and unjust to permit our people to commit or obligate themselves in business transactions at the beginning of the year when the supply of money and credit is sufficient and satisfactory, and then to change both before the year's business is closed so as to injuriously affect the market value of their products and cripple their debt-paying power.

If everyone knew that the adequate currency and credit arrangements in existence at the beginning of the year would not be hampered or impaired during that year, there would be peace of mind in business, business stability, and increased business activity in every avenue of human enterprise and industry.

The refusal to supply us with currency and credit necessary to prevent the loss of our property and the destruction of our business in 1920 and 1921 was a crime against our people and a crime against the country. It has been said truly by Lincoln, "That any change in the circulating medium under which a debt is contracted before the debt can be paid is a crime."

The Federal reserve banking system is the greatest system ever devised by the genius of man. If honestly administered it is positively panic proof. For six years it held at bay the panic-breeding agencies of New York, and there was not the slightest financial trouble anywhere in the United States. As long as it was permitted to function properly our people were busy, prosperous, happy, and contented.

THE HOLY GRAIL

We are told in the beautiful lines of Tennyson that the Holy Grail, or silver cup from which Jesus drank wine at the last supper with the disciples, hung for a long time on the wall of the home of Joseph of Aramathea. So long as it remained there all was well in the home; the inmates were happy and contented; the voice of song and laughter was heard, the birds sang joyously in the trees, and the flowers and roses flourished as they sweetened the air with their perfume.

But one day the hand of the invader came and plucked the silver cup away. So soon as that evil thing was done clouds of gloom and despondency hovered over the home. The voice of song and laughter was hushed, the inmates were sad and sorrowful, birds ceased singing, and the flowers and roses drooped and died. Sir Galahad, a gallant knight, registered a vow that he would go out in search of the Holy Grail and would not return until he could restore it to its time-honored place upon the wall.

Prior to the Republican conspiracy to bring about deflation and produce a panic all was well with the Federal reserve banking system, and all was well with the country. A new day had dawned in the Nation. Everyone who wanted to work found work to do. Everyone who wanted money and credit with which to carry on his business found both responsive to his call. Labor was constantly and profitably employed. Capital was busy in every avenue of human enterprise and industry and we enjoyed an era of national prosperity unparalleled in the history of the country. But in an evil hour the criminal forces of greed swooped down upon the people like some mighty besom of destruction and the Federal reserve banking system was made to strike down and destroy where it was intended to serve and save.

Property values vanished by the billions. Labor was driven from employment, and 7,000,000 men and women roamed the country with nothing to do. Liberty bonds were forced out of the hands of our people, while every avenue of financial aid was shut in our faces. Factories closed and the hum of whirling wheels was hushed. Agriculture fell down and all but perished. Commerce was paralyzed, and the cry of distress was heard in the land, while millions of people in the South and West were literally robbed, many of them stripped of the

accumulations of a lifetime. Hundreds of men and women, driven to desperation, died by their own hands.

These are the fruits of Republican policies and practices, and by their fruits ye shall know them.

The Democratic Party has registered a vow that if successful in the election in November it will take control of the money supply and credits away from Wall Street and restore the great Federal reserve banking system to the purposes for which it was created.

When the currency and credit instrumentalities are permitted to function again as they should, and as they did under Democratic rule, then and not till then will there be genuine prosperity amongst the American people.

The trouble with Republican leadership is it does not know and apparently can not learn the difference between inflation and expansion. When business begins to pick up or improve and more money is required to meet the needs of business expansion Republican leaders have the word sent out to be careful not to bring about inflation. They keep the bankers and business men generally in a state of uneasiness and fear. What the country needs is adequate currency and credit facilities, honestly administered, so as to meet the business needs of all the people all the time.

THE TARIFF BARONS AND WALL STREET FINANCIERS

The tariff barons of the United States in order to tax the people to enrich themselves used to say that the tariff tax was levied in the interest of the laboring man, done to protect him from competition with the cheap labor of Europe. The American laboring man called attention to the fact that while they were shutting out some of the products of cheap labor in Europe they were bringing cheap European labor here to compete with American labor and pull down the wage scale of the American laboring man. Then there arose a demand for a law that would keep out these cheap laborers, and the same tariff barons who said they wanted a tariff tax levied so as to protect the American laboring man bitterly opposed the passage of an immigration law that would keep out the cheap European laborer. The Democrats led the fight and vigorously supported the plan for restricted immigration until we succeeded in passing the best bill ever enacted on the subject. But the tariff barons or big manufacturers are now ignoring the law, and tens of thousands of foreigners are coming in through the corrupt and disgraceful conduct of crooked immigration agents and officials. They are growing rich in their dangerous traffic, which is slipping into our country for so much per head thousands of foreigners who are prohibited from coming in by law.

So the tariff baron, as the big income-tax payer, has his way under Republican rule, law or no law. He wants the cheap European laborer to come in, and he has a crooked immigration official to suspend or set aside the law. Scores of big income-tax payers who are compelled by Congress to pay the tax get it back through the Republican Secretary of the Treasury, Mr. Mellon, who has handed back or refunded to them in the last three years \$300,000,000.

Now the leaders of the Republican Party, following the suggestions of their masters, the tariff barons, are taking the ridiculous position that the present obnoxious and oppressive tariff law was necessary to give work to the unemployed. The Washington Post not long ago, in an editorial, said:

There were nearly 5,000,000 unemployed men in the United States before the present tariff law was enacted.

The question is, Why did we have two years ago an army of unemployed 5,000,000 strong? What party was in power when our economic and industrial conditions were so upset and demoralized?

The country had prospered as never before under the Underwood-Simmons tariff law. Labor was constantly and profitably employed. Even the "tramps," who used to roam the country under Republican rule, had disappeared. Every human being who wanted to work found work to do.

I will tell you what it was that struck business a body blow, silenced the voice of industry, and threw millions of men and women out of employment. It was a financial panic brought about by a drastic and murderous deflation policy deliberately planned and carried out by the leaders of the Republican Party. More than a thousand banks have failed. Thousands of merchants who were at that time prosperous are bankrupt. Manufacturers who were then doing a good business are broke, and hundreds of thousands of farmers who owned their homes and farms and were prosperous have lost them and are now in dire financial distress.

These dreadful conditions drove millions of laborers from employment and the tariff had nothing to do with it. The tariff barons and money lords of Wall Street both contributed large sums to the Republican campaign fund. Both expected to profit financially if the Republicans got control of the Government, and when a Republican Congress had been elected and President Wilson was stricken down and near death's door, the Wall Street forces that used to produce financial panics at will and clean up millions in the operation, came to the Capitol and secured the passage through a Republican Congress of an amendment to the Federal reserve banking law which destroyed the panic-preventing power of the Federal reserve banking system. The banking system that had been used for six years to prevent panics was now, under Republican control, used to produce the worst panic that ever came upon the country. That panic not only increased the colossal fortunes of the millionaires' club by millions and hundreds of millions but it added thousands to its membership.

While it was greatly enriching and increasing the fortunes of those who felt that they had bought the privilege to plunder the American masses, it was working ruin to the livelihood and business of nearly a hundred million Americans.

After the money lords of Wall Street had fed and fattened on the financial feast that their panic had prepared, they looked with ghoulish glee upon business failures, silent industries, and millions of unemployed laboring men, the fruits of the panic that they themselves had produced.

Then came the tariff baron and said, "Here is where I come in. I will take advantage of this situation and tell those in authority that if they will permit me to levy a tariff tax on millions of American consumers I will give employment to labor." But before the tariff bill was written the Democrats, by the aid of a few progressive Republicans, had passed a bill reviving the War Finance Corporation. We put back into circulation from this source more than \$700,000,000. This forced for a time a more liberal distribution of currency and credits by the Federal reserve banks, and conditions improved.

Mr. President, that situation showed that what was needed was more money in circulation and better credit facilities. The labor that returned to employment went back in large part before the tariff bill was enacted into law.

The truth is, labor was more fully employed under the Underwood-Simmons tariff law than ever before its enactment or since its repeal. The lack of a high protective tariff did not produce the Republican panic of 1920 and 1921. It was made to order by New York speculators and financiers, who made hundreds of millions out of it. It simply furnished a band of tariff marauders the opportunity to feather their nests while they imposed additional burdens upon an already overburdened people. They simply caught us going and coming.

The big speculators and big financiers of Wall Street caught us with a destructive panic while we were going good on the road of prosperity, and the tariff barons caught us and slugged us as we were "coming to" after we had been sandbagged by the panic bandits. They show their ignorance or their lack of faith in the intelligence of the American people when they claim that the number of unemployed in Great Britain is due to the lack of a protective tariff. Business demoralization and business disaster and unemployment of labor were produced in England just as they were produced in the United States—by unwarranted and indefensible deflation.

Let me read from a statement prepared by Hon. John Skelton Williams, in which he quotes the opinions of some of the world's ablest men:

The paralyzing and destructive deflation policies which have been so world wide in their effect contrast most vividly with the views of the ablest and best thinkers and leaders of our own and other countries.

The following extracts from the expressed opinions of eminent authorities are merely examples of countless others:

Hon. Reginald McKenna, of England, formerly chancellor of the exchequer, now president of the London Joint City and Midland Bank, the largest bank in the world:

"I think I have said enough to show that an attempt at monetary deflation of this kind can only end in the strangulation of business and widespread unemployment. * * *

"The consequences of a continuous fall in prices entailed by dear money and restriction of credit, and accentuated by heavy taxation, must be complete stagnation of business." * * *

Sir Edward Holden, late president of the London Joint City and Midland Bank:

"The president of the British Banking Reform League in referring to an address delivered several years ago by Sir Edward Holden on the 'Depreciation of securities in relation to gold,' said:

"In that illuminating address Sir Edward showed conclusively that the maximum amount of trade which is possible depended upon the volume of bank loans allowed, and that the extent to which loans could be granted depended not upon the demands of trade nor upon the amount of securities offered but upon the amount of legal-tender reserves controlled by the banks."

Lord Leverhulme, probably the greatest industrial leader in the British Empire:

"The process of too rapid deflation is undoubtedly the cause of the present unemployment and trade stagnation.

"The prices of commodities rose to the extreme limit during the war, and their reduction was a prime necessity, but the fall has been too sudden for adjustment. This deflation has been accomplished through the banks calling in loans which were used to finance stocks at high prices, and the effect of the forced realization of these stocks has been to drive down prices of commodities below the cost of production."

Of Lord Leverhulme, a distinguished English writer in his well-known book, *The Mirrors of Downing Street*, says:

"I suppose that nobody will now dispute that Lord Leverhulme is easily the foremost industrialist, not merely in the British Isles but in the world. I can think of no one who approaches him in the creative faculty. Not even America, the country of big men and big business, has produced a man of this truly colossal stature."

The president of the British Banking Reform League, Mr. Arthur Kitson, in acknowledging receipt of one of John Skelton Williams's addresses on the deflation policies of the Federal Reserve Board, which had been sent him by request, said in his letter to Mr. Williams:

"I agree with all that you have written. We have been experiencing the same troubles in this country that you have had in the United States, and from identically the same cause. Our treasury officials, under the influence of the big money lenders, undertook to deflate our currency. * * *

"The public stopped buying, business collapsed, firms closed their doors, and we have at the present time the greatest roll of unemployed that we have ever had since the 'hungry forties.' * * *

The same well-known authority, in an address published in 1920, said:

"The contraction which followed the Napoleonic wars, when our statesmen destroyed the 'cheap' money which had enabled Great Britain to carry on industries during the long war period from 1797 to 1815, and substituted the costly and inadequate gold basis brought about the great fall in prices and that era of business depression which gave rise to the corn law agitation, resulting in the Chartist riots and the rise of the free-trade movement.

"Neither free traders nor tariff reformers seem to have understood that that period of social misery was directly attributable to the Government's contraction of the money supplies."

Moreton Frewen, eminent English economist and publicist, a year ago, in discussing the world crisis, said:

"What, then, are the common denominators which best account for the universality of that disaster now impending over the new year? I have pointed out one, namely, the deflation of credits and currencies. It is enough to say that if this intentional and malevolent destruction of credit is followed to its logical conclusions men's hearts may well fall them everywhere for the days that are at hand."

The governor of the Bank of France, properly regarded as one of the world's most eminent banking authorities, in his annual report a year ago, declared:

"We have welcomed, whether by means of rediscount or by direct discount, all paper whose creation responded to the legitimate needs of commerce and production. By this liberal policy, to which we have remained and always will remain faithful, we expect to support with all our power the activities of widely varying business enterprises which in France are needed to lessen the violence of the crisis."

Prof. Gustav Cassel, an economist of international reputation, in his recent report submitted to the League of Nations:

"The downward movement of prices has not, as is sometimes assumed, been merely a spontaneous result of forces beyond our control. It is essentially the result of a policy deliberately framed with a view to bringing down prices and giving a higher value to the monetary unit. * * *

"The world's work has been brought to a standstill to a degree that we have never witnessed before, and unemployment has risen to alarming figures, particularly in countries where the policy of deflation has been applied most severely."

Prof. J. Laurence Laughlin, professor emeritus of the School of Political Economy, University of Chicago:

"A crisis comes because credit has been unduly expanded in a period of prolonged prosperity; in an optimistic spirit men have entered into transactions beyond their actual means, as is shown

when the test of actual payment is exacted, and in a time of fright collateral as well as goods fall in price. In such a situation liquidation needs time if disaster is to be prevented."

"* * * the great need is some means—whatever it may be—which will enable a bank to make loans to a client, who can thereby be saved from failure and from hasty and ruinous liquidation."

Prof. Irving Fisher, professor of political economy, Yale University:

The newspapers of January 31, 1922, in dispatches from London quote Professor Fisher as pointing out in an address before the London School of Economics, at the London University, that the fundamental cause of the collapse in prices in this country was the abrupt way in which the Federal reserve system raised discount rates under the "false idea that they must get back to the so-called normal of pre-war." Continuing, the press dispatch, quoting Professor Fisher, says:

"The idea of suddenly wrenching back price levels when they had reached the heights of 1920 to 1913 level, whilst it did bring about justice to contract parties who had entered into contracts before 1913, produced a frightful injustice to the much larger number who had contracted at these high-price levels."

"Consequently," says the dispatch quoted, "Professor Fisher held it to have been a very great mistake of policy of the Federal Reserve Board to have raised the rates of discount so high and to have produced this fall of prices."

The late A. Barton Hepburn, a leading financier of New York and former Comptroller of the Currency, upon his return last summer from a visit to the Far East was quoted by the Associated Press as follows:

"Japan is backing up the banks in lending funds at a low rate of interest to struggling farmers, who would otherwise go under, to the detriment of commercial life."

Contrast the intelligent policy of the banks of Japan with the Federal reserve, which, for example, in Colorado, Mississippi, and Alabama charged in some cases 22 per cent and 31 per cent, and in one instance as high as 87½ per cent, to member banks whose loans were mainly to farmers.

A newspaper published in Tokyo, Japan, in April, 1921, discussing trade between the United States and China referred to an instance of machinery purchased by a Chinese firm on a four months' sight draft, and said significantly:

"When the Federal Reserve Board called in credits, the firm was told that they would have to pay cash on delivery. This almost threw them into bankruptcy."

The newspaper pertinently adds:

"The Chinese memory is a long one."

VIEW OF UNITED STATES SENATORS AND REPRESENTATIVES

The Joint Commission on Agricultural Inquiry, composed of prominent Senators and Representatives of both political parties, says in its report recently submitted to Congress:

"The debacle of prices in 1920 and 1921 reduced the farmer to a condition worse than he has suffered under for 30 years. * * * Farmers are having the greatest difficulty in paying the debts incurred in producing the crops of 1920 and in securing credit necessary for new production. The commission believes that these difficulties are due in a measure to the credit restrictions and limitations of the past 18 months and in part to the fact that the banking machinery of the country is not adequately adapted to the farmers' requirements. * * * The commission is of the opinion that a more liberal policy could have been adopted in the latter part of 1920 and the early part of 1921 and that the adoption of such a policy would have served to arrest in part the tide of deflation and to reduce the hardships and losses incident thereto."

Mr. President, I commend these enlightening and convincing statements to the leaders of the Republican Party.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. NORBECK. Mr. President—

Mr. WARREN. I ask—

Mr. NORBECK. Reserving the right to object, I desire to say that there is an agricultural matter which has been before the Senate for several hours, and we have been asked to yield for this and to yield for that. Will the Senate not let us take a vote on that question? We can dispose of it in three or four minutes. Senators on the other side of the Chamber have taken all of the time of the Senate and are keeping the farmers from receiving relief.

Mr. WARREN. I ask my friend to let the conference report be considered, because it involves a matter of \$194,000,000.

Mr. NORBECK. The farmers are suffering more than \$194,000,000 of damage. There are all kinds of subterfuges resorted to here when we try to bring up something for the relief of the farmer.

Mr. WARREN. I trust the Senator will permit us to proceed with the consideration of the conference report.

Mr. NORBECK. I object if we can not proceed with the regular order.

The PRESIDING OFFICER (Mr. LENROOT in the chair). Objection is made. The Senator from Alabama will proceed.

Mr. HEFLIN. Mr. President—

Mr. ASHURST. The conference report has not been received, Mr. President?

Mr. WARREN. Of course, the presentation of the conference report is a privileged matter.

Mr. ASHURST. But objection was made, and the report was not received. Am I correct as to that?

The PRESIDING OFFICER. No; the report was not received.

Mr. HARRISON. Mr. President, will the Senator from Alabama yield to me to submit an inquiry?

Mr. HEFLIN. No; I do not want to be taken off my feet.

Mr. HARRISON. I desire to make an inquiry with the understanding that it will not take the Senator off the floor.

Mr. HEFLIN. I think I had better proceed.

Mr. WALSH of Massachusetts. A parliamentary inquiry, Mr. President.

Mr. HEFLIN. I can not yield now to any other Senator.

Mr. WALSH of Massachusetts. But I desire now to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. WALSH of Massachusetts. I should like to know if the clerks of the Senate, who were instructed several hours ago to enter upon the Journal the President's veto message, have dropped dead or have they finished their work so that the President's veto message has been entered upon the Journal? If so, that is the immediate business before the Senate.

Mr. NORBECK. I withdraw my objection to the request of the Senator from Wyoming [Mr. WARREN].

Mr. WARREN. The Secretary has the conference report at the desk, and I ask that it may be read.

Mr. HEFLIN. I yielded to the Senator from Wyoming for the purpose of presenting the conference report.

Mr. WARREN. I move that the report be adopted.

Mr. PITTMAN. Mr. President, before that question is put I wish to discuss the report.

Mr. MOSES. Mr. President, the question is not debatable.

Mr. WARREN. The matter will be decided simply by a vote as to whether the conference report shall be adopted or not.

Mr. PITTMAN. I object to the submission of the report.

The PRESIDING OFFICER. The submission of a conference report is a matter of privilege. Whether or not it shall be considered is a matter for the Senate to determine. The report will be presented, unanimous consent having been given for that purpose.

Mr. ASHURST. What is the report?

The PRESIDING OFFICER. The Secretary will read the report.

Mr. ASHURST. We want to identify the report.

The PRESIDING OFFICER. The Secretary will read.

The READING CLERK. Conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9559) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 32, 35, and 36.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: "Provided, That no part of the sums herein appropriated shall

be used for the commencement of construction work on any reclamation project which has not been recommended by the Commissioner of Reclamation and the Secretary of the Interior and approved by the President as to its agricultural and engineering feasibility and the reasonableness of its estimated construction cost"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$375,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$315,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "\$375,000"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 29, 34, 58, and 59.

F. E. WARREN,
CHARLES CURTIS,
W. L. JONES,
LEE S. OVERMAN,
WM. J. HARRIS,

Managers on the part of the Senate.

MARTIN B. MADDEN,
D. R. ANTHONY, JR.

Managers on the part of the House.

Mr. PITTMAN. I object to the consideration of the report.

Mr. WARREN. Mr. President, let us have the report read. Nobody will know what the report is unless it may be read.

Mr. HEFLIN. I am not going to keep the floor very much longer myself. I am not going to try to hold the Senator from Wyoming back. I shall finish in just a moment.

Mr. PITTMAN. I object.

Mr. WARREN. Mr. President, if the Senator from Nevada will allow me just a moment, I desire to say that this is the conference report on the last appropriation bill. It covers every single department of the Government and carries an appropriation of about \$194,000,000. If the conference report is not adopted within the next half hour, of course the bill will be lost. The bill carries the appropriation for the Veterans' Bureau; it carries the appropriation for the bonus and for various other governmental activities—indeed, for nearly every interest of the Government. It is one of those bills as to which a joint resolution passed by Congress will not continue during another year the appropriations for which it provides.

In order to supply the necessities of the different agencies of the Government this bill must either pass and go into operation, so that the money which it provides may be used, or it is entirely lost to all, and a number of activities will have to suspend.

Mr. HEFLIN. Mr. President—

Mr. PITTMAN. Will the Senator from Alabama yield to me?

Mr. HEFLIN. Mr. President, there is going to be opposition to the conference report, and I can not yield for its consideration just now.

Mr. PITTMAN. I ask the Senator from Alabama to yield to me in order that I may make a statement.

The PRESIDING OFFICER. The Chair must hold that unanimous consent has been given for the presentation of the conference report. The Senator from Nevada [Mr. PITTMAN] now objects to the consideration of the report. Under the rule the question of consideration must be determined by the Senate immediately without debate, but that does not apply to the question of the adoption of the report. That question will be open to debate if the Senate votes to consider the report.

Mr. KING. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. In order to proceed to the consideration of the conference report can a Senator be taken from the floor?

Mr. PITTMAN. I objected to the presentation of the report.

The PRESIDING OFFICER. The presentation of a conference report is always privileged. The report has been presented. The question now is, Shall the Senate proceed to the consideration of the conference report?

Mr. PITTMAN. To that I object. Now, then, with the consent of the Senator from Alabama—

Mr. WARREN. I move that the Senate proceed to the consideration of the conference report.

Mr. PITTMAN. I should like to explain the reason why I object to the consideration of the conference report.

The PRESIDING OFFICER. The question of proceeding with the consideration of the conference report is not debatable.

Mr. HEFLIN. I understand that I have the floor.

The PRESIDING OFFICER. No. The Senator from Alabama yielded the floor for the presentation of the conference report. The present occupant of the chair will say to the Senator from Alabama that he will immediately recognize him if there is any question about it when the pending motion is disposed of.

Mr. PITTMAN. I wish to say this: If an amendment which the conferees have knocked out of this bill—and I say wrongfully knocked out while they have left other amendments in—is not put back into the bill the bill will not pass at this session. That is all I have to say.

The PRESIDING OFFICER. The question is, Will the Senate proceed to the consideration of the conference report? [Putting the question.] The "ayes" have it. The motion prevails. The question now is upon agreeing to the conference report.

Mr. ASHURST. I wish to be heard on that question.

The PRESIDING OFFICER. The question is open to debate.

Mr. ASHURST. That is debatable.

Mr. HEFLIN. Mr. President—

Mr. ASHURST. I want to discuss the conference report.

Mr. McKELLAR. Mr. President—

Mr. ASHURST. I want to know who has the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. ASHURST. I thank the Chair.

Mr. HEFLIN. Mr. President—

Mr. ASHURST. I do not yield to anybody for any purpose. The Chair only may properly take me off the floor.

The PRESIDING OFFICER. The Chair will read the rule in reference to conference reports:

1. The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put and shall be determined without debate.

The Senator from Alabama yielded for the presentation of the conference report, and the report is now before the Senate.

Mr. HEFLIN. Mr. President, the Chair was going to recognize me immediately after that was done.

The PRESIDING OFFICER. The Chair promised to recognize the Senator from Alabama after this question was disposed of.

Mr. HEFLIN. That was not my understanding. Had I so understood I would not have yielded for a discussion of the subject at all.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. ASHURST. Mr. President, it is useless to cavil over the question as to who was recognized by the Chair. The Presiding Officer recognized me, and the question as to who should be recognized is not appealable, for that question is wholly for the Chair and is for the Chair only.

Much as I desire to see my own amendment and the amendment of my colleague retained in this conference report, I decline to assume the responsibility of killing this deficiency bill, as such action would starve many of the great energies of the Government. I have conferred with my colleague [Mr. CAMERON], but neither he nor I will assume the heavy responsibility of killing this vital bill, as such action would paralyze too many agencies of the Government, although the conferees have abandoned and thus defeated the legislation that we seek.

Let me now remind the Senate that these amendments, which the conferees have abandoned, were of vast importance to the water users and landowners on the Yuma Mesa auxiliary irrigation project and to the main Yuma project.

On that Mesa project 48 settlers who have made three-fourths of their payments to the Government and 55 other settlers who have made one-half of their payments and many other landowners who have made one-fourth of their payments will be now subjected to great distress, and I doubt not that some of them will be ruined, by the abandonment of this amendment.

Our Government should not drive hard bargains with farmers. Agriculture is the noblest of all occupations, the most dignified of all occupations, for it nourishes our race. The multitudes of the earth must subsist upon what agriculture produces. In Yuma County, Ariz., the citizens, with a valor neither showy

nor vociferous, have fought as good a fight to reclaim a desert as is recorded in all history; how well they have succeeded let the farms, ranches, and greenery there testify. Consider a valley where the soil is of the richest and where the sun in summer comes down like a merciless flail; a valley that is one of earth's wonders, asking for justice, and denied justice by wanton pettishness of conferees.

As to the amendment I offered to this bill, and which the Senate adopted, I told the Senate on Thursday evening in simple, plain language that the Government of the United States built the Yuma project about a hundred miles above where the dashy and temperamental Colorado River debouches into the Gulf of California; that the Government built on the Mexican bank or side of that river a levee at Government expense costing \$800,000, and that the construction of this levee threw these swirling waters, with a cutting edge like the claws of a steel giant, against the farms on the project, and those waters are destroying, as they have been destroying for 10 years, the farms of these industrious and worthy people who are landowners on the east side of this river.

Any man worthy to be a Senator, any man fit to represent his people, could not be otherwise than indignant at the treatment these landowners have received. Senator Root, of New York, said 10 years ago in the United States Senate, when the proposition had no more than been stated to him, that he would use every endeavor to correct this injustice. The Secretary of the Interior, who has taken a broad view of this question, told me no longer ago than this morning at the White House that he fully believed in the overwhelming equities of the landowners of the Yuma project, and in effect and spirit but not in exact text save voicing his view.

To say that these poor farmers of the Yuma project should be required to hold within a fixed channel these mighty floods of the Colorado River is a statement that would make a chancellor vomit. My amendment was as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$597,088, or so much thereof as may be necessary to reimburse landowners residing on Yuma project, Arizona-California, for all moneys they have heretofore been charged with or have paid into the United States Bureau of Reclamation for the operation and maintenance of the Colorado River front work and levee system of said project.

SEC. 2. That there is also hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to be placed to the credit of the United States Bureau of Reclamation and to be expended under the direction of the Secretary of the Interior for the purpose of paying the operation and maintenance costs of said Colorado River front work and levee system on said Yuma project, Arizona-California, for the fiscal year ending June 30, 1925, and thereafter there is hereby authorized to be expended not to exceed \$35,000 annually, or so much thereof as may be necessary, as the share of the Government of the United States of the costs of operating and maintaining said Colorado River front work and levee system: *Provided*, That the said sum of \$35,000, or so much thereof as may be necessary, shall only be available if and when double such said amount of \$35,000 shall have been provided by the States of Arizona and California, the county of Yuma, Ariz., and the Yuma project, or any of them, it being hereby declared to be the policy of the United States to assume one-third the obligation of caring for said river-front work and levee system on said Yuma project, Arizona-California.

Mr. BORAH and Mr. HEFLIN addressed the Chair.

Mr. ASHURST. I yield to the Senator from Idaho for a question.

Mr. BORAH. Well—

Mr. ASHURST. I do not wish to lose the floor, but I am going to conclude in one minute.

Mr. BORAH. I will not interrupt the Senator.

The PRESIDING OFFICER. The Chair will state the Senator would yield the floor if he yielded other than for a question.

Mr. ASHURST. Mr. President, I have concluded. If these facts for which the Secretary of the Interior vouches, for which the Bureau of Reclamation vouches, for which the fact finding commission vouches, and for which every man who has the impulse of integrity and fairness vouches, do not move the conferees to do justice, peace be with them.

THE CONSPIRACY INVOLVING THE POST OFFICE DEPARTMENT IN LAND FRAUDS AND THE BARTER OF THE NAVAL OIL RESERVES

Mr. HEFLIN. Mr. President, in the fall of 1920 when we had a Democratic Postmaster General complaint was made to the Post Office Department that certain land companies doing business in the Lower Rio Grande Valley of Texas were,

through deception, misrepresentation, and the fraudulent use of the mails, defrauding hundreds of American citizens in the sale of lands in the valley. A Democratic Postmaster General ordered that an immediate and thorough investigation be made. J. M. Donaldson, of Kansas City, one of the most reliable and most effective inspectors in the service, was placed in charge of the investigation. He went wholeheartedly into the work and was proceeding to make a real investigation, but as soon as a Republican Postmaster General came into office in 1921, R. B. Creager, Republican national committeeman for the State of Texas, and a partner in the land company of C. H. Swallow & Co., and also a partner in the Alamo Land & Sugar Co., together with C. H. Swallow and W. F. Zumbunn, who was general counsel of the Lower Rio Grande Valley Land Men's Association, and C. F. Ladd, general sales manager of the W. E. Stewart companies, and C. H. Jessup, representing the Lower Rio Grande Valley Water Users' Association, came to Washington and called on the Postmaster General, Mr. Hays, and on the Attorney General, Mr. Daugherty, for the purpose, I am convinced, of having the investigation stopped, and they succeeded in doing what they came to do. Several very suspicious and reprehensible things happened soon after their visit to Mr. Hays and Mr. Daugherty.

This Republican National Committeeman Creager wanted Donaldson removed and a more pliable and accommodating inspector put in charge of the investigation. It was up to Creager to show why Donaldson should be removed, and he told the chief inspector, Mr. Simmons, here in Washington, that Donaldson, who had started the investigation, had said that he, "Creager, ought to be in jail."

Donaldson denied having made such a statement, but he was removed just the same after Creager and the others mentioned called on Hays and Daugherty. Then an inspector by the name of Williamson from Pittsburgh, Pa., a man in every way agreeable to Creager and his associates, was placed in charge of the investigation.

Here the investigation ended, for what Williamson did was not in any honorable sense an investigation. After the understanding had with the Post Office Department by Creager and others, strange to say, those charged with violating the law took charge of Inspector Williamson and directed his investigation. They had him go through their books and letter files and when that was completed he returned to Washington, wrote his report, sent it into the Post Office Department and he acknowledged under oath before the Post Office and Post Roads Committee of the Senate investigating the land frauds and the failure of the Post Office Department to complete the investigation, that he never called upon a single victim of the land frauds—that not one of them had been seen or questioned in regard to the matter. So the inspector that Creager had named in place of Mr. Donaldson did just as Creager and the others wanted him to do. His investigation was a miserable farce and was the culmination of a conspiracy to prevent an honest and thorough investigation of Creager and the others who had had satisfactory conferences with Hays and Daugherty in Washington.

Think of an inspector quitting an investigation before he had questioned a single one of the hundreds of citizens who had complained of being defrauded out of hundreds of thousands of dollars. Think of him going to the homes of the accused and letting them direct his activities in the land fraud investigation. And think of him closing the investigation and leaving for Washington without permitting any one of the hundreds and thousands who had been defrauded to tell what they knew about the crimes that had been committed against them by the use of the United States mails.

These victims of the land frauds had been lured into the valley from Indiana, Ohio, Iowa, and ten or twelve other Northern States. They were carried into the valley on excursion trains provided by the land companies. They were kept together and not allowed to talk to any one except the agents of the land companies. They were escorted to show farms that were used as "decoy ducks." They were properly irrigated and were producing in abundance. The prospective buyers were told that all the land pointed out to them was under the same irrigation system and that all the water needed could be had in a few hours by phoning in to the irrigation plant. They were told that the lands were not overflow lands. Buyers were required to pay at least half in cash and in many instances they were induced by the representations made by them to pay cash every dollar they had and could borrow. Many of the victims of the frauds practiced upon them in the sale of these lands in the lower Rio Grande Valley found after they had paid to the land companies every dollar they had that the land was overflow land or that no water could be had

to irrigate it so as to enable the farmers who had been deceived into buying it to make a crop. In addition to paying in cash all the money they had, they had given to the land companies vendors' lien notes for the other payments.

The failure of hundreds of farmers to get water to irrigate the land purchased caused them to fail to make a crop and their failure to make a crop meant failure to pay the first vendors' lien notes that came due and the land companies kept the farmers' money and got the land back and left these Indiana, Ohio, Iowa, and other northern and western farmers and their wives and children stranded in the valley. Hundreds of them lost the accumulations of a lifetime through the fraudulent and corrupt use of a governmental instrumentality by the crooked and corrupt land companies in the lower Rio Grande Valley. Hundreds of them were unable to pay their railroad fare back to the States from which they came.

The lands taken back from them have been sold and taken back and sold and taken back many times as the crooked land companies increase their riches and the names of their miserable victims increase by leaps and bounds.

Mr. President, after Creager, Republican National Committeeman from Texas and the other land men that I have mentioned came to Washington to get a Republican Postmaster General to call off the investigation which involved their land companies, nearly a thousand American citizens who stated that they had each been defrauded by land companies doing business in the valley petitioned the Postmaster General to continue the investigation. They mentioned the fact that Creager and others had been to Washington in an effort to stop the investigation and they begged the Postmaster General to permit those who had been defrauded to have an opportunity to give to their Government the truth regarding the matter. Did the Postmaster General continue the investigation? No. He stopped it.

The man that the Postmaster General sent down there to relieve Donaldson, who was making a real investigation, did nothing but confer with those who were charged with crime against citizens and crime against the Government. Williamson, Postmaster General Hays's Handy Andy and Creager's man Friday, closed the case in November, 1921, in less than six weeks after it was turned over to him without letting a single man defrauded by the crooked land companies give testimony as to how he had been treated by the landmen who had violated the laws of the Government that Williamson was supposed to represent and protect.

Nearly three years have come and gone since Creager and Hays and Daugherty conferred together about the investigation of the land frauds in the lower Rio Grande Valley. For nearly three years no attention has been paid by the Republican Postmaster General to the pitiful appeals of the distressed victims of the land frauds in the lower Rio Grande Valley.

I repeat, Williamson stated on the witness stand before the Senate investigating committee of which I am a member that he had not been to see a single one of the victims of the land frauds—that he had not given a one of them the opportunity to tell his story to a representative of the Government.

Mr. President, the petition of the unfortunate land victims was thrown into the waste basket and the investigation abandoned nearly three years ago. This investigation was abandoned and the fraud crooks permitted to continue their fraudulent practices to the shame of the Postmaster General and the Republican administration, and to the hurt and injury of hundreds and thousands of once prosperous American farmers. It was stifled and abandoned in the face of the fact that Donaldson when removed to make way for Williamson stated in his report to the Post Office Department that—

From the evidence obtained through circularization of persons dealing with the companies in question, conditions have come to light, which the inspector describes as "most outrageous, outlandish, and reprehensible methods that can be conceived, which were used by these land companies in disposing of this land and swindling the public."

Specific instances are cited showing that almost every claim made by these companies for the land sold by them is a fraudulent one. New victims are constantly being brought in. Banks, mercantile institutions, and police authorities are apparently controlled by the interests operating from Kansas City, and in the event that any of the victims attempt to warn newcomers, in order to prevent them from being swindled, an assassin is employed to harass or murder such informant.

Mr. President, think of a great department of our Government being maladministered so as to suppress the truth, shield crooks and criminals and brazenly used to defraud the citizen. Such reprehensible and despicable conduct on the part of those in control of our Government breaks down and destroys respect, not only for those in authority but for the Government itself.

The effect of the failure to proceed with the investigation is mentioned in Donaldson's report, when he said that the farmers in the Rio Grande Valley who have been swindled believe that the influence of these land companies is too great to fight and that the Government would not go through with the investigation.

Senators, have we reached the time when the American people are willing to remain silent and permit the Government to be put in the attitude of being indifferent and unresponsive to the cry of distress and injustice on the part of the humblest citizen in the country? Are we ready to accept the dangerous doctrine that Republican influences, corrupt and powerful, have set up to the effect that citizens in the common walks of life shall be subject to investigation and punishment for violating the law, but that the mendacious, rich in ill-gotten gain, may violate the law at will and escape its pains and penalties? Think of law-abiding, patriotic American citizens being robbed of the earnings of a lifetime through the use of a governmental instrumentality and when they petition their Government for relief and offer to furnish the evidence to convict the criminals responsible for the frauds practiced upon them they find the Republican Postmaster General not devising plans to apprehend and punish the guilty, but in conference with Creager, the Republican National Committeeman from Texas, and others accused of the crime complained of.

That is not all. They find that the conference in Washington has accomplished the result desired by those who have grown rich through frauds practiced upon American citizens and in their disgust and despair they tell Donaldson that they fear that the Government will not go through with the investigation. That presents a dreadful situation for our serious consideration. Senators, we owe it to ourselves and to those who sent us here to see to it that such conditions shall not continue. Such contemptible conduct on the part of Government officials ought to be denounced by every patriotic man and woman in the country.

Farmers who had been defrauded held mass meetings at several places in the valley for the purpose of bringing about unity of purpose and concerted action in obtaining an investigation and prosecution of land crooks by the Government. James R. Page, an attorney of Kansas City, was invited to address them, and he vigorously denounced those who had deceived and defrauded American citizens in the sales of lands in the valley. Immediately steps were taken by men in the employ of the defrauding land companies to intimidate and drive Page out of the valley. He was discussed at meetings of the Land Men's Association. It was strongly intimated that if the mass meetings and Page's speaking should continue and those accused convicted "everyone would be headed for the penitentiary."

At one of those meetings Mr. Zumbrunn stated that the telegrams he had received from Creager indicated that he was alarmed. Then one of the men present at the meeting said: "If you, as an association, send me down there as your representative with Mr. Creager, I will muzzle him (Page) or put myself out of business in the effort." They did everything in their power to frighten Page. They fled disbarment proceedings against him. They had him indicted in a lower Rio Grande Valley court, and he was told if he didn't leave the valley he would be killed.

Page advised the victims of the land frauds to mail their petition asking the Post Office Department to continue the investigation. And then what do you suppose happened? Why, the Creager crowd got the local judge of a district State court to issue an injunction against American citizens mailing a petition to Federal officials in Washington. Was there ever before anything like that brazen conduct in our country?

Here is a telegram which shows that there was an understanding between Creager and his companies and the Post Office Department that he was to escape investigation and prosecution. The Stewart mentioned in this telegram was indicted and convicted on Donaldson's report and I believe that Creager and others would have been convicted if Donaldson had not been displaced to accommodate Creager and his crowd. Here is the telegram that tells the story of a nasty conspiracy and a heinous crime in high Republican circles at Washington. It was sent from the Post Office Department here to the post-office inspector in charge at Kansas City, and reads:

Take no steps to present any evidence to grand jury in case of Alamo Land and Sugar Company, C. H. Swallow & Company, or in any company in which R. B. Creager is interested, or involving R. B. Creager in any way pending completion of investigation by Inspector Williamson, who is covering all these companies including Creager, and we want no action taken at this time. So far as Stewart Land Com-

pany is concerned, you are at liberty to act provided it does not involve Creager or Creager's companies; and if it does, do not act, because no action in these matters must be taken until after Inspector Williamson completes his investigation and has submitted his report. Show this wire to Inspector Donaldson and answer by wire at once if presentation of evidence in Stewart Land Company case will in any way involve Creager or Creager's company.

SHOOK, Acting.

Let me read a line or two from the testimony recently taken at the hearings.

Mr. PAGE. Now, you did not send that telegram, did you?

Mr. SHOOK. No, sir.

Mr. PAGE. Who did?

Mr. SHOOK. Williamson sent that, dictated it, to Robinson, the chief inspector's private secretary.

Mr. President, the Williamson who sent that telegram preparing the way for Creager's escape from a real investigation and prosecution, and who signed Shook's name to it, is the same Williamson who was sent down to take Donaldson's place and who by his suspicious and reprehensible conduct in the matter has branded himself as one of the conspirators in this terrible thing.

The conspiracy to prevent an honest investigation by the Post Office Department of those who used the United States mail to defraud American citizens, has been established by testimony obtained from officials in the Post Office Department. The fact that the inspector did not question a single one of the citizens who complained of having been defrauded, and the fact that he stopped the investigation after consulting with those accused of the crime, show conclusively that the Post Office Department of the Government of the United States under Republican rule has knowingly and intentionally shielded and protected crooks and criminals in their robbery of hundreds and thousands of American citizens. God speed the day of deliverance from the shameful, disgusting, and disgraceful rule of those who misuse, abuse, and barter the instrumentalities of Government which in an evil hour were committed to their care.

Mr. President, we have not been permitted to proceed as we should have with the investigation of the fraud practiced upon American citizens in the sale of lands in the lower Rio Grande Valley. The chairman of the subcommittee, Senator Moses, can not be said to be very sympathetic or in any way enthusiastic over the investigation. He has not impressed me that he possessed any considerable amount of zeal for a prompt and real investigation. Just the other day he arbitrarily ruled that no testimony touching transactions that took place in the valley could be taken here in Washington. We placed a witness from Kansas City, Mo., on the stand who had been an agent of one of the land companies accused of defrauding citizens in the sale of lands in the valley. He was permitted to testify how the mails were used to send out literature to prospective buyers and for sending letters back to the companies by the agents telling of the number of citizens who would be brought in on excursion trains at stated times. This witness, a Mr. Collins, had just related how he had gone into a northern State and had gotten a number of citizens to accompany his party into the valley. He told how they were kept in cars to themselves where nobody but the agents of the land companies could talk to them. They were now on the train going into the valley. Just then Mr. PAGE asked him what he and the other agents did to get the prospective buyer in the proper frame of mind to buy land when he arrived. Before he could answer the question Chairman Moses told the witness not to answer the question because he said you are going to testify about what took place in the valley. I protested against his ruling and requested that this witness, who was here at Government expense, should be permitted to finish his testimony—that it seemed foolish to call him in again as a witness and put the Government to the extra expense that such a procedure would incur. But he insisted that all testimony regarding occurrences in the valley should be taken down there. We informed him that scores of the land fraud victims did not live in the valley and that it would be inconvenient for them to go to the valley and also that it might be months before we could get to the valley, but in spite of the protests of the Democratic minority of the committee he, with the use of the proxies of two other Republican members of the committee, Senator EDGE, of New Jersey, and Senator ODDIE, of Nevada, who had never attended any of the hearings, prevented the witness from proceeding, and stopped the hearings.

I appealed from that ruling and finally succeeded in getting Chairman Sterling of the Post Office and Post Roads Committee to call the full committee to meet and hear the appeal. The committee sustained my appeal and set aside the ruling made by Senator Moses with his proxies and authorized us

to proceed with the investigation here. I have been trying since that time to get Senator Moses to call a meeting of the committee to formulate plans for the continuance of the investigation in Washington. So far I have not succeeded. All of those who have attended the hearings know that we are seriously handicapped in conducting this investigation. I do not want to charge that anyone responsible for delay is trying to cripple or stifle the investigation, but I will say that this investigation is going through.

If we can not proceed with it now we will proceed with it when Congress reconvenes.

Mr. President, strange to say, the officials of the Post Office Department who have appeared before the committee have shown hostility to those pushing the investigation and sympathy for those who came to the Post Office Department in Washington and succeeded three years ago in calling off the investigation. Nothing short of a new order of things in Washington will restore to commanding respect with high Federal officials here the old-time American standards of common fairness, common justice, and common honesty that are still loved and emphasized by the rank and file of the Democratic Party and hundreds and thousands of men and women in the ranks of the Republican Party. There ought not to be any difference between the two dominant political parties on anything that involves wrongdoing against the Government, graft and corruption in office. There ought to be a common understanding between them through which both would serve notice on all crooks and criminals that strict adherence to the principles of fair play and common honesty would be upheld at any cost. There are many in high office here who do not feel as I and many others do about this matter. The people in the States must wake up to the increasing dangers that threaten free institutions in America. Corrupt men in office must be driven out. If they are permitted to continue and to multiply they become more and more a greater menace and danger.

The only safe and wholesome remedy is to smite them hip and thigh and get rid of them. Washington realized that. He knew about some of them in his day. In 1799 he said in a letter to James Warren regarding the conduct of a few corrupt officials:

Is the paltry consideration of a little dirty pelf to individuals to be placed in competition with the essential rights and liberties of the present generation, and of millions yet unborn? Shall a few designing men, for their own aggrandizement and to gratify their own avarice, upset the goodly fabric we have been rearing at the expense of so much time, blood, and treasure? And shall we at last become the victims of our own abominable lust of gain?

What a battle cry of the Father of his Country against corruption in office. The New York Times, commenting upon Washington's statement said, February 22, 1924:

His plan of action was to retain the confidence of the people by driving every exposed scoundrel out of public life with whips of scorn, and then to call upon his countrymen by precept and example to illustrate the austere virtue which should clothe men in official positions. This aspect of Washington's spirit and public service might well be meditated upon to-day by those who are now in power in the city that bears his name.

Now, Mr. President, I desire to speak briefly on another matter. I want to talk about Republican politics for a few minutes.

Mr. President, Penrose was a high priest in the councils of the old stand-pat Republican Party, and Mr. Coolidge is as much a disciple of that system as was Penrose. Matthew Quay trained Penrose and Murray Crane trained Coolidge.

Penrose and Coolidge moving in the same direction and having the same ends in view employed different methods to bring about the results desired. Penrose believed that the big interests back of him should control the Government and he did not hesitate to say so, while Mr. Coolidge, not so bold and outspoken but much more politic and diplomatic, is just as satisfactory now to those who backed Penrose as was the big Pennsylvania boss in the heyday of his political power. Penrose conferred with the "money lords," the "tariff barons," and "trust magnates," the three big groups that feed and fatten on governmental favoritism under Republican rule, and whenever they agreed upon a candidate for President he got squarely behind him and his man always got the Republican nomination. He, with others representing the same interests, O. K.'d the Harding and Coolidge ticket in 1920. Coolidge soon after he became President, true to his Murray Crane training, proceeded in the quiet Coolidge way to let the three big groups mentioned know in no uncertain way that he was their friend and that they would never have occasion to regret

supporting him. The cry of the West for relief for millions of farmers in distress fell dead on his ears, and President Coolidge emphatically announced that no extra session of Congress would be called to consider any measure looking to their relief. The three big groups were much pleased with his action in this matter, and after they had seen him give many other assurances of friendship and service they had the newspapers that they own, or control, to start a concerted move for Coolidge for President.

Several modest Republicans and some of the leaders knowing Mr. Coolidge's limitations and his leanings, and some prominent Republican Senators, also leaders, who had had the opportunity to observe him very closely when he presided over the Senate for more than two years, and who did not in any way regard him as a strong man, commenced to cast about for some strong outstanding Republican to put forward for the Republican nomination for President. But while they were quietly discussing the situation and laying their plans, the man in the White House, who was thoroughly familiar with the Murray Crane way of doing things in politics, commenced to ingratiate himself so strongly in the confidence and esteem of the "special privilege crowd" that before these other gentlemen knew what had happened certain big Republican newspapers were declaring editorially that Coolidge should be nominated without opposition. Some of the Republican leaders commenced to murmur their dissent and protest; some of them said that "Mr. Coolidge is not big enough for the place—he can't be elected," but the big bosses had agreed on Coolidge and these Republicans were told to be quiet and talk no more along that line. The big bosses said, we will employ some of the best newspaper writers in the country to boost Coolidge and praise him, and in a few months we will have the people believing that he is really a big strong man. But that didn't satisfy some of them who had intimate knowledge of Mr. Coolidge's ability and qualifications. They said that the people would find out before the election that a job had been put up on them and that he would be overwhelmingly defeated. Two or three strong Republicans who were spoken of as probable candidates were really getting ready to throw their hats into the ring, but the big interests that controlled the big bosses of that party silenced all of them but one—HIRAM JOHNSON. They let it be known that Coolidge was entirely satisfactory to them and that they were all behind him. So the decree of the big bosses removed all of the candidates except HIRAM JOHNSON and immediately they commenced to upset his plans and purposes. They made it impossible for his friends to get the finances necessary to carry on his campaign and one by one they induced influential Republicans who were supporting Senator JOHNSON to come out in newspaper statements saying they had decided to support Coolidge. And now with all of the candidates eliminated but one, the big bosses, using the big steam roller, proceeded to flatten HIRAM JOHNSON out wherever he crossed the Coolidge path. Angry because he continued to be a candidate after they had made known their desire that Coolidge be nominated without opposition, they decided to make an example of him and to humiliate him by beating him with Coolidge in his own State of California. California is strongly in favor of the Japanese exclusion provision in the immigration law and HIRAM JOHNSON was the champion of that doctrine in the Senate. So in order to obtain votes in California, Mr. Coolidge the day before the primary informed the people of California that he, too, favored the Japanese exclusion provision. That statement was published throughout the State and used to the very best advantage by the Coolidge supporters. Mr. Coolidge carried the State and two days thereafter his representatives were at the Capitol trying to get the Senate and House conferees to strike from the bill the Japanese exclusion provision.

Mr. President, the Washington Post, June 8, had pictures giving different views of Congressman BURTON, of Ohio, temporary chairman and keynoter of the Republican National Convention, as he was preparing his speech. One shows him with his head thrown back, looking up, with these words underneath the picture: "He searches the clouds for inspiration." How appropriate! There is nothing that so resembles the record of this Republican administration as a dark cloud. The keynote speaker for the Republican convention does well to look up to dark clouds for inspiration rather than to look into the dark record of this Republican administration.

If Lincoln could come back and find the forces of greed and avarice and corruption encamped in the Capitol, as they are to-day under Republican rule, he would denounce and repudiate them. He would rebuke them for daring to call this modern aggregation of marauders "The party of Lincoln."

Mr. President, I regret to say it but the big criminal with a pocket full of money has no fear of this administration. In-

stead of fleeing from it terror stricken he comes to it confident that he can arrange things, and after a conference or two he goes his way undisturbed and unafraid. If this Republic is to live these things must cease. The sense of civic duty and moral obligation and patriotic responsibility was never so low in a majority of high public officials at the Capitol as it seems to be to-day. No man in the administration from the President down has shown any real interest or manifested any serious concern in the matter of exposing crooked and corrupt officials and driving them from office. With the charges of corruption and scandal on the part of Republican Cabinet officers printed in newspapers in Washington and all over the country, no word of encouragement or cooperation came from the President to the Senators who were uncovering crime in high places and demanding that Denby and Daugherty be put out of the Cabinet. Both were driven out by the earnest and noble work of Democrats. By the facts brought to light they created the public opinion that forced Denby and Daugherty both out of the Cabinet.

After the Senate by a vote that was almost unanimous found Denby guilty of doing an act that "was born in fraud and corruption and in violation of the laws of Congress," President Coolidge announced that he would not let Denby resign. And it will be remembered that Daugherty complained at the President for not letting him resign sooner. Think of what happened! Did Denby and Daugherty, these two pets and bellwethers of the predatory interests, get mad and sulk in their tents? Oh, no. They were robed in purple and fine linen and sent as Coolidge delegates to the Republican Convention at Cleveland. Birds of a feather "flock" together. The same gang that nominated Harding at Chicago in 1920, nominated Coolidge at Cleveland in 1924. Verily the trail of the serpent is over it all.

Mr. President, nothing short of a complete change in the conduct of this Government at Washington will suffice. Four years more of what we have had and of what we are certain to have if the present régime is continued in office will go a long way toward disgusting patriotic men and women the country over and destroying respect for constituted authority and endangering our free institutions. Predatory interests feel and act toward the Government under Republican rule like the old miser did who had bought a mule and was criticized by his neighbors for what they said was cruelty to the animal. He replied in haughty fashion—"I bought him, I paid my money for him, and I'll use him as I please to."

The agents of predatory wealth, after supplying campaign funds for the Republican bosses and that ticket is elected, feel like the old miser did, that they paid their money for the election of Republican officials and will use them as they choose to.

The corrupt use of money in elections and the disgraceful barter of governmental instrumentalities to those who contribute money to the Republican campaign fund present a situation fraught with great danger to our country.

The time has come to pull together and vote together—all those who believe that the Government should be honestly administered in the interest of all the people.

Mr. President, the party of privilege is up to its old tricks. Another election is approaching and Republican leaders will promise anything and everything to get control for four years more of the taxing power and the money supply and credits of the country.

They promise to do something for the relief of millions of oppressed and distressed farmers. They promised the same thing in 1920. They promise to do something in the interest of world peace. They promised the same thing in 1920. The Republican Party dominated, yes, literally controlled as it is to-day by predatory interests can not do anything except what predatory interests want it to do.

They have made the dollar the dominating thing in Republican politics. They have made barter of the ballot and bought seats in the House and Senate as you would buy a commodity in the market place. They confirmed the sale of a seat in the Senate to Newberry, and they have squandered the timber lands, the coal lands, and the oil reserves of the Nation to those who contributed large sums to the campaign funds of the Republican party. They have juggled figures and agricultural statistics in the Department of Commerce to the benefit of the speculators and to the hurt and injury of the farmers of the United States. They have made of the Department of Justice a rendezvous for crooks and a city of refuge for criminals.

They turned the Veterans' Bureau into a resort for crooks and grafters, and they have ignored or set aside the immigration laws of the land and corrupt officials are growing rich smuggling thousands and tens of thousands of foreigners into our country.

Mr. President, the situation is appalling and alarming. I heard the Senator from Missouri, Mr. SPENCER, speak three hours here to-day trying to prevent a vote on the committee's report on the Teapot Dome scandal. He does not want the Senate to vote on it.

Republican leaders do not want the people to see how certain Republican Senators voted on this question and that is why you want to postpone the vote until after the election.

Doheny and Sinclair are for Mr. Coolidge; Denby, Daugherty, Fall, and Forbes are all for Mr. Coolidge.

It's the same old song, in the same old place, sung by the same old gang.

Secretary Hoover's heart turns back to London, where he was a citizen or subject for 14 years, and George Harvey, formerly ambassador to London, gives up his post temporarily and comes home to direct the publicity work of the Coolidge campaign as he did the Harding campaign in 1920. General Dawes, who has been hobnobbing with international bankers in Europe, is in fine favor with those who are sucking money out of the channels of trade at home to feed their international schemes in foreign countries. It is already being whispered about the Capitol that the "money lords of Wall Street" have agreed to permit legitimate business to breathe freely again and to make money matters easy again just before the election for the purpose of temporarily improving conditions in the hope of lulling the people to sleep until they can get control of the Government for four years more.

Mr. President, if they can fool the people again and win in the fall election, they will tie us on to a scheme of international banking that will suck into it the life blood of the circulating medium of America and breed financial panics and business troubles innumerable for us. They will take the tax off the big income-tax payers and in its place impose a burdensome sales tax of hundreds of millions upon the consuming masses of America.

They will foist upon the country compulsory military training. They will revive the so-called gentlemen's agreement with Japan. The concentration of wealth in the hands of a few and the centralization of power in one man in Washington will go on with a rapidity never known before.

Those who have been unfaithful in the conduct of public office; those who have been corrupt in the use of powers entrusted to them would take Republican victory to mean an endorsement of their criminal greed, their disgraceful graft, and their shameful corruption in office. The verdict of the American people in the next election must ring clear and true. There must be no mistake about its meaning. There must be nothing in it that will give comfort and ease to crooks and criminals in official position. It must be a verdict that means: "Down with graft and the grafter! Down with corruption and the corruptionist, and down with crime and the criminal in the public offices of our country."

Let that verdict say in thunder tones to all political parties that the people of the United States will hold the party in power strictly responsible for the corrupt conduct of those placed in positions of trust by that party.

SENATOR JOHN K. SHIELDS

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the record of my colleague [Mr. SHIELDS].

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent to print in the RECORD the statement referred to by him. Is there objection? The Chair hears no objection, and it so ordered.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the services of my colleague, the senior Senator from Tennessee, Hon. JOHN K. SHIELDS, covering the entire time he has been a Member of the Senate. This statement was carefully prepared and checked up by a gentleman who has been an official of the Senate for many years and who has great familiarity with the services of the Senator, as he is constantly in attendance upon the sessions of the Senate and has an accurate knowledge of the records. I may say that this gentleman is a life-long Democrat and takes special interest in the services of all the Democratic Senators in this body.

RECORD OF SENATOR JOHN K. SHIELDS

Senator SHIELDS was elected to the United States Senate January 23, 1913, for the term beginning March 4, 1913. He was reelected in 1918, and his second term will expire March 4, 1925. He served eight years during the administration of President Wilson and nearly four years under the administrations of President Harding and President Coolidge.

The Democratic Party controlled the Senate and the House of Representatives during the first six years of President Wilson's administration, and the Republicans have controlled both Houses since that time.

When the Senate was reorganized by the Democratic Party in 1913 Senator SHIELDS was assigned to the Committee on the Judiciary, the Commerce Committee, Committee on Education and Labor, Committee on Interoceanic Canals, and later upon the Committee on Foreign Relations and the Immigration Committee and some smaller committees. Subsequently he resigned from all of them except the Committee on the Judiciary, Committee on Foreign Relations, and Committee on Immigration in order that he might devote his time to the consideration of the bills within the jurisdiction of these committees, which have always been of great importance and far-reaching in their bearing upon the domestic and foreign relations of the Government.

Senator SHIELDS is also a member of the Democratic steering committee, a political committee having control of the assignment of Democratic Senators upon the various committees and directing the policy of the party in the Senate.

Senator SHIELDS has always attended the conferences of the Democratic Senators and abided their action. While not attempting to make a record of formal quorum calls, preferring to remain in his committee and office at work, he regularly attended the sessions of the Senate when important bills were considered and voted upon.

There were more than 2,000 laws, public and private, important and otherwise, enacted during President Wilson's administration, and only those of outstanding importance can be here referred to. Senator SHIELDS supported and assisted in passing all of the great constructive legislation which was enacted during the first six years of President Wilson's administration carrying out the platform pledges and policies of the Democratic Party.

Among those of outstanding importance which the record discloses he supported are the following:

Simmons-Underwood Tariff Act: This was the most equitable and just tariff law ever passed by the American Congress. It curbed monopolies and special interests in their control of production, distribution, and prices; produced ample revenue, and brought about the greatest period of prosperity the people have ever enjoyed.

Income tax: This just revenue law distributes the burden of taxation and places it upon the wealth of the country, those most able to pay and receiving the greatest protection from the Government.

Federal reserve bank law: This provided the greatest financial system ever known. The Government was given control of finances and disastrous money panics made impossible.

Clayton Antitrust Act: This supplemented and provided for the more efficient enforcement of the Sherman antitrust law for the suppression of monopolies and conspiracies to prevent and destroy competition in commerce. This bill also permits the organization of farmers and labor for the purpose of cooperation to better their conditions, exempting such organizations from the provisions of the antitrust act and limiting the power of the courts to enjoin peaceful strikes.

Farmers' loan bank—rural credits: This act furnishes facilities for farmers to procure loans at reasonable rates of interest upon long time, and has been of great benefit to them.

Federal Trade Commission: A commission created with power to investigate and prohibit unfair methods of competition and trade, and advising what business arrangements and agreements can be legally made.

The Tariff Commission: This commission has rendered great service to the manufacturers of the country in procuring and furnishing information in regard to all commodities of export and import.

Agricultural extension law—Smith-Lever bill: This law provides for cooperation of agricultural extension work between agricultural colleges in the several States, the appointment of county agents, educational and experimental work in agriculture, and other important matters for the benefit of the farmers of the country.

United States grain standards law: This act provides for Federal inspection and publication of standards for grain, which greatly facilitates profitable marketing.

United States warehouse law: This act provides for warehouses and warehouse receipts which may be used as collateral for loans on agricultural products.

United States cotton futures law: This act regulates the purchase and sale of cotton for future delivery, and prevents abuses prejudicial to the planters.

Market service news: Provides for collecting and disseminating daily information concerning supply and demand, quality and conditions and prices of agricultural products to the producers, aiding them to determine when to market and the prices to be obtained for their products. Senator SHIELDS has pending a bill to extend this service to Tennessee and adjoining States.

The nitrate plants: Provided for the construction of plants for the manufacture of aironitrogen for the national defense and to be used in the composition of fertilizers for farmers and under which the plants at the Muscle Shoals in the Tennessee River were constructed and the construction of the Wilson Dam begun.

Conservation of natural resources: Laws to preserve the great natural resources of our country for the benefit of the people and to prevent their exploitation by special private interests.

Merchant marine and ship purchase law: Providing for the development of the merchant marine and favoring our shipping interests.

Good roads legislation: These laws provided for the construction of good roads throughout the United States by division of the cost of same between the States and the Federal Government and under which thousands of miles of splendid roads have been constructed and other thousands are in contemplation in the near future.

Labor bill of rights: Preventing the abuse of the writ of injunction in labor disputes and declaring the principle that labor of human beings is not a commodity of barter and sale as inanimate things.

Workmen's compensation laws: For the protection and benefit of the employees of the Federal Government.

Industrial employees' arbitration law: This act established a Board of Mediation and Conciliation and afforded the Government better facilities for preventing or settling railway and industrial strikes.

Protection of women and children workers in the District of Columbia: This act provided for the protection of the health, morals, and wages of women and minor workers in the District of Columbia.

Child labor law: An act to prevent interstate commerce in the products of child labor and affording protection to the youth of the land.

Eight-hour law—Adamson bill: An act to establish eight-hour day for employees of the carriers engaged in interstate and foreign commerce.

Hours of labor for female employees: This law regulates hours of employment and provides safeguards of the health of female employees in the District of Columbia.

Safety of railway employees: This law provides for the installation of improved safety appliances and affords better protection for railway employees.

Vocational Education Commission act: This law created a commission to study plans for promoting vocational education of youths of the country.

Vocational education act: This law provides for the creation of a board to study and investigate the promotion of vocational education and to provide for the training of teachers in vocational subjects.

Immigration restriction acts: These are laws to regulate the entry of aliens into the United States and to provide certain restrictions relative to their entry.

Parcel post act: This law carried appropriation for experiments in extending the parcel post for marketing farm products.

Armor plate act: This provided for the improvement of the Navy of the United States for the fiscal year 1917.

Seamen's act: This provided for the improvement of conditions of American seamen, adequate life-saving equipment, and crews to meet emergencies.

Improvements of rivers and harbors: There were several of these bills, all of which included provisions for the Mississippi, Tennessee, and Cumberland Rivers and their tributaries. Senator SHIELDS took a deep interest and actively supported all of them.

Mississippi River flood control bill: This was a great measure, carrying appropriation of \$45,000,000 for the improvement of the Mississippi River and protection against floods. Senator SHIELDS in the Commerce Committee in the Senate advocated this bill and was largely responsible for its passage and coming a law.

War risk insurance act: This act created a bureau of marine insurance to provide insurance at reasonable rates, to encourage the resumption of shipping, and to provide markets for American products.

Revenue for preparedness: These were acts to provide increased revenue to defray the expenses of the increased appro-

provisions for the Army and Navy and the extensions of the fortifications, and for other purposes, one law passed in the first session and the other in the second session of the Sixty-fourth Congress, and were very important measures of preparedness.

German war resolution: Resolution declaring that Germany was waging war against the United States, and authorizing the President to use the resources of the Nation in defense of our people and our country.

Austrian war resolution: Resolution declaring that the imperial empire of Austria-Hungary had made war against the United States and authorizing the President to use the resources of the Nation in the national defense.

The selective draft or conscript laws: These were laws providing for the drafting of the young men of the country and the organization of an army for national defense in the war with Germany and her allies, under which more than 4,000,000 men were enrolled in the military service of the United States and the greatest army of the world organized.

National security and defense: Acts making appropriations and authorizing an issue of bonds to meet expenditures for the national security and defense and the prosecution of the war, to extend credits to foreign governments, and for other purposes.

Food and fuel laws: Acts to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

War expenses: An act to provide further revenue to defray war expenses, and for other purposes.

The espionage laws: Acts to punish interference with foreign relations, the neutrality, and the foreign commerce of the United States; to punish espionage and better enforce the criminal laws of the United States, and for other purposes.

Military and naval family allowance compensation: To provide a military and naval family allowance, compensation, and insurance fund for the benefit of soldiers and sailors and their families, and make an appropriation therefor of \$176,250,000.

War Finance Corporation: For the national security and defense; for the purpose of assisting in the prosecution of the war; creating the War Finance Corporation; providing machinery for extending financial assistance; providing credits; encouraging industries engaged in the manufacture of war materials.

Civil rights of members of Military and Naval Establishments: An act to protect civil rights of the members of the Military and Naval Establishments of the United States engaged in the war.

Government control of railroads: An act providing for the operation of the transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

Government control of telegraphs and telephones: An act to authorize the President in time of war to assume control of telegraphs and telephones, marine cable, or radio systems, etc.

Signal Corps: An act to temporarily increase the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airships, and appropriating \$640,000,000 for the purpose of carrying out the provisions of the act.

National security and defense, to stimulate agriculture: An act providing an appropriation for national security and defense by stimulating agriculture and facilitating distribution of agricultural products.

War expenses—urgent deficiency appropriation bill: Appropriating \$5,356,666,016.93 to supply deficiencies in appropriations for the fiscal year 1918 and prior years on account of war expenses, and for other purposes, etc. Largest appropriation act passed by this or any other country.

Trading with the enemy act: An act to define, regulate, and punish trading with the enemy, and for other purposes, etc.

Third and fourth Liberty loan acts: Acts providing for the third and fourth Liberty loans. No financial legislation of any country ever approached the magnitude of the Liberty loan acts. The third and fourth Liberty loan acts increased the amount of bonds authorized to be issued from \$7,538,945,460, as originally fixed, to \$20,000,000,000; increased the appropriation to meet loans to our allies from \$4,000,000,000, as originally fixed, to \$7,000,000,000, and increased the amount of certificates of indebtedness that can be outstanding at any one time from \$4,000,000,000, as originally fixed, to \$8,000,000,000.

Prohibition law for the District of Columbia: This law prohibited the manufacture, transportation, and sale of alcoholic liquors for beverage purposes in the District of Columbia.

The eighteenth amendment, or prohibition amendment: Prohibiting the manufacture, importation, exportation, transporta-

tion, and sale of alcoholic liquors for beverage purposes in the United States.

Conservation of food products: An act providing for the conservation of wheat, corn, and other food products during the war by prohibiting the use of them in manufacturing alcoholic liquors for beverage purposes.

Laws passed under the war powers of Congress: Prohibiting the manufacture, sale, and transportation of intoxicating beverages in and near cantonments, shipyards, and other places where sailors and soldiers were quartered and war activities were progressing.

The Volstead law: The Volstead bill for the enforcement of the eighteenth amendment was passed before the amendment took effect by its own provisions—one year after its enactment—under the pretense that it was a war measure, although the war had been over for several months, and President Wilson vetoed it. Senator SHIELDS agreed with the President that Congress had no right to pass such a law until the amendment was effective and voted to sustain the President's veto. The law was passed over the President's veto. Senator SHIELDS announced in a speech in the Senate in February, 1923, that it is the law of the land and that he favors its vigorous enforcement and is opposed to its repeal or amendment.

Immigration laws: Senator SHIELDS has consistently supported all measures coming before the Senate for the restriction of immigration. He took an active part in the recent law for that purpose in the Committee on Immigration and upon the floor of the Senate, making one of the leading arguments in favor of the bill.

Pensions for Spanish-American War veterans: The Senator has supported measures for the relief of the Spanish-American War veterans, believing that they have been more neglected than any of the country's soldiers.

Laws for the benefit of soldiers and sailors in the World War: The laws for these purposes are too numerous to be set out, but it appears from the record that Senator SHIELDS supported practically all of them necessary to arm, equip, clothe, properly house, and pay our soldiers and sailors during the war and for taking care of them after the war.

Provisions for disabled veterans: The numerous laws which have been enacted creating the Veterans' Bureau and otherwise providing for the disabled ex-service men have all had the support of Senator SHIELDS. He supported the Reed bill, passed at the present session to codify the laws for the benefit of disabled veterans, offering an amendment thereto for the benefit of those afflicted with tuberculosis, which was modified by the conference committee, but furnishes a basis for further legislation in behalf of these veterans.

The Muscle Shoals and nitrate plant: Senator SHIELDS has advocated on frequent occasions improvement of the Tennessee River for navigation and the development of the water power at Muscle Shoals for the production of hydroelectricity to be used in the manufacture of aeronitrogen for explosives in the national defense and for furnishing farmers with cheap fertilizers. He was active in urging the chairman of the Agricultural Committee to report the bill proposing to accept the proposition of Mr. Henry Ford, and is supporting that proposition and opposing Government operation as proposed in the bill of Senator NORRIS, the chairman of the committee.

The interchangeable mileage book and the Pullman surcharge exactions: Senator SHIELDS favored the bill providing for interchangeable mileage books and that for abolishing the Pullman surcharge exactions, and actively supported the passage of both bills in the Senate.

The reduction of taxes: Senator SHIELDS has favored economy in the administration of the Government and the reduction of taxation and voted for measures for these purposes.

THE IMPORTANT LAWS WHICH SENATOR SHIELDS OPPOSED

The Panama Canal tolls bill: The Congress passed a bill exempting ships trading between the Atlantic and Pacific coast from canal tolls for the purpose of furnishing competition in transportation with transcontinental railroads. The Democratic platform of 1912 declared for maintenance of this law. President Wilson advocated a repeal of the law as a probable violation of the treaty with Great Britain. Senator SHIELDS was of the opinion that Great Britain under the treaty or otherwise had no right to interfere with the control of our canal and favored competition with the railroads as provided in the platform, and for that reason voted against the bill.

The woman's suffrage amendment: The general subject of suffrage was one of the reserved powers of the States and over which the Federal Government had no jurisdiction. The Democratic platform of 1916 so declared and left the question of woman's suffrage to the several States. Senator SHIELDS fol-

lowed the platform and voted against the suffrage amendment, agreeing with the platform of the party that the people of the several States had a right to determine the question for themselves without the interference of the Federal Government. Amendments to the Constitution are under the jurisdiction of the Congress and the President has no voice in or control of them.

Censorship of the press: Senator SHIELDS voted against the bill to give the President the right to practically control the newspaper press of the country by determining what should appear in the papers upon the ground that it violated the constitutional provisions of free speech and free press. The bill was defeated.

The covenant of the League of Nations: This was a treaty of practically all of the nations of the world providing for the protection of the independence and territorial integrity of those nations, by force if necessary. Senator SHIELDS, standing for the traditional policy of the United States against intervention in foreign affairs and entangling alliances likely to embroil this country in war, opposed and voted against the United States becoming a member of the league. His position was that it was not a political or partisan measure and, there being no pronouncement of the Democratic Party and no campaign pledges upon his part, it was his duty as a Senator under the Constitution to determine the questions involved according to his best judgment in the interest of the people of the United States, as set forth in his speeches upon the subject. The Senator in his speeches when the covenant was before the Senate, November, 1919, declared in favor of a World Court and conferences of the nations of the world, with proper safeguards, for the promotion of peace and the prevention of war, and now favors the United States adhering to the Permanent Court of International Justice.

The Armenian mandate: President Wilson recommended that the United States take a mandate for Armenia which involved the sending of an army of 75,000 men, at a cost of \$250,000,000 per annum, into the heart of the Turkish Empire to aid the Armenians in their struggle for independence. Senator SHIELDS, with 22 other Democratic Senators, voted against it, as it was then probable, and subsequent events have shown certain, that the army would have to be increased to 250,000 men, at the cost of more than a billion dollars, with a doubtful result.

The four-power pact: This is a treaty negotiated by President Harding with Great Britain, France, and Japan, practically obligating these powers and the United States to protect the possessions and interests of each other in the Pacific Ocean. Senator SHIELDS opposed it, although the Senate adopted a reservation in favor of the United States, believing it to be an entangling alliance likely to embroil the United States in a foreign war for the interest of other nations, and voted against it.

The McCumber-Fordney protective tariff law: This is a political measure passed by the Republican administration and the direct cause for the low prices for products and high cost of all supplies now oppressing the farmers of the country. Senator SHIELDS opposed and voted against it.

He voted against all other political legislation brought before the Congresses by the Republican Party under the administrations of President Harding and President Coolidge.

The adjusted compensation legislation: Senator SHIELDS opposed this legislation upon the ground that it would increase the public indebtedness four to five billion dollars, and thus greatly increase the war taxes under which the American people are now staggering, producing suffering and embarrassment to the business and agricultural interests of the country.

The case of Senator Newberry: Senator Newberry's right to a seat in the Senate was challenged because of excessive expenditure of money in obtaining the nomination in the Republican primary. The expenditures amounted to about \$200,000, chiefly used in purchasing and subsidizing newspapers, which tended to defeat free elections and the untrammelled choice of the people. Senator SHIELDS favored unseating and expelling Newberry from the Senate, and so voted on the resolution concerning his right to a seat in the Senate.

The Dyer antilynching bill: This was a bill extending the jurisdiction of the Federal courts in certain criminal cases, which would have aroused racial prejudice, and was unconstitutional because invading the reserved powers of the States. It was chiefly intended and by its terms operated in favor of criminals and prejudicial to the white people of the South. Senator SHIELDS opposed it in the Committee on the Judiciary and in the Senate, and it was defeated.

The judges' bill: This was a bill, as originally drafted, creating 18 United States district judges unassigned to any special district, but to be sent in his discretion by the Chief Justice to any district in the United States. Senator SHIELDS opposed the bill in the Committee on the Judiciary and as amended in the Senate, charging that it was a political measure creating unnecessary offices upon the eve of an election, and was subservient and destructive of an independent and untrammelled judiciary. His speech upon the bill was exhaustive and outstanding in the defense of the independence and integrity of the judges and courts of the country.

The above statement embraces most of the great laws which have been passed by the Congress since Senator SHIELDS has been a Member of the United States Senate, and which he supported or opposed as above stated. It would be impossible in the compass of this statement to set forth all of the laws that were enacted during those years.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the Speaker of the House had signed enrolled bills and joint resolutions of the following titles, and they were thereupon signed by the President pro tempore:

S. 113. An act changing the name of Keokuk Street, in the city of Washington, D. C., to Military Road;

S. 588. An act for the relief of Daniel A. Spaight and others;

S. 668. An act to establish the Utah National Park, in the State of Utah;

S. 697. An act providing for the disposal of certain lands on Crooked and Pickerel Lakes, Mich., and for other purposes;

S. 699. An act authorizing the addition of certain lands to the Medicine Bow National Forest, Wyo., and for other purposes;

S. 790. An act for the establishment of a Federal industrial institution for women, and for other purposes;

S. 1192. An act to confer jurisdiction upon the United States District Court, Northern District of California, to adjudicate the claims of American citizens;

S. 1203. An act to amend an act entitled "An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Piute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service," approved February 14, 1923;

S. 1308. An act authorizing an appropriation to enable the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Teoak Band of homeless Indians, located at Ruby Valley, Nev.;

S. 1309. An act for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.;

S. 1376. An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia;

S. 1614. An act to repeal an act authorizing the construction of bridges across the Great Kanawha River;

S. 1785. An act to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof;

S. 1942. An act to protect navigation from obstruction and injury by preventing the discharge of oil into the coastal navigable waters of the United States;

S. 1987. An act accepting certain tracts of land in the city of Medford, Jackson County, Ore.;

S. 2159. An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango highway across the Navajo Indian Reservation, and providing reimbursement therefor;

S. 2236. An act to designate the time and place of holding terms of the United States district court in the first division of the district at Kansas City;

S. 2572. An act to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico;

S. 2573. An act to amend and reenact sections 20, 22, and 50 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes";

S. 2694. An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes;

S. 2699. An act to amend an act creating the Custer State Park game sanctuary in the State of South Dakota;

S. 2704. An act to amend paragraph (3), section 16, of the interstate commerce act;

S. 2761. An act to authorize the withdrawal of lands for the protection of antelope and other game animals and birds;

S. 2797. An act to authorize the payment of claims under the provisions of the so-called war minerals relief act;

S. 2799. An act to provide for quarters, fuel, and light for employees of the Indian field service;

S. 2834. An act relating to the American Academy in Rome;

S. 2887. An act authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes;

S. 2932. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes;

S. 3023. An act designating the State of New Mexico as a judicial district, fixing the time and place for holding terms of court therein, and for other purposes;

S. 3024. An act providing for the acquirement by the United States of privately owned lands within Rio Arriba and Taos Counties, N. Mex., known as the Las Trampas grant, by exchanging therefor timber within the exterior boundaries of any national forest situated within the State of New Mexico;

S. 3093. An act granting certain public lands to the city of Phoenix, Ariz., for municipal, park, and other purposes;

S. 3111. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States, and for other purposes;

S. 3116. An act to authorize the Choctaw, Oklahoma & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. to construct a bridge across the White River, near the city of De Valls Bluff, Ark.;

S. 3188. An act for the abandonment of a portion of the present channel of the south branch of the Chicago River;

S. 3220. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late George Mauger Burklin and the remains of the late Anton Lerch Burklin from Glenwood Cemetery, District of Columbia, to Fort Lincoln, Prince Georges County, Md.;

S. 3244. An act granting the consent of Congress to the Board of Supervisors of Hinds County, Miss., to construct a bridge across the Pearl River in the State of Mississippi;

S. 3263. An act to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va.;

S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits;

S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Peedee River at or near Savage Landing, S. C.;

S. 3380. An act to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside;

S. 3420. An act granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado;

S. 3434. An act for the protection of the northern Pacific halibut fishery;

H. R. 7079. An act prohibiting the importation of crude opium for the purpose of manufacturing heroin;

H. R. 7731. An act authorizing the Secretary of War to sell a portion of the Carlisle Barracks Reservation;

S. J. Res. 43. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War;

S. J. Res. 73. Joint resolution providing for the appointment of a commission for the purpose of erecting in Potomac Park, in the District of Columbia, a memorial to those members of the armed forces of the United States from the District of Columbia who served in the Great War;

S. J. Res. 90. Joint resolution providing an extension of time for payment by entrymen of lands on the Fort Assinniboine abandoned military reservation, in the State of Montana;

S. J. Res. 103. Joint resolution authorizing expenditure of the Fort Peck 4 per cent fund now standing to the credit of the

Fort Peck Indians, of Montana, in the Treasury of the United States;

S. J. Res. 106. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin, which the people of Argentina have presented to the United States;

S. J. Res. 114. Joint resolution authorizing an investigation of the proposed Casper-Alcova irrigation project, Natrona County, Wyo.; the Deschutes project in the State of Oregon; and the Southern Lassen Irrigation project, in Lassen County, Calif.;

S. J. Res. 115. Joint resolution to provide for the free transmission through the mails of certain publications for the blind;

S. J. Res. 127. Joint resolution to provide that the powers and duties conferred upon the Governor of Alaska under existing law for the protection of wild game animals and wild birds in Alaska be transferred to and be exercised by the Secretary of Agriculture;

S. J. Res. 137. Joint resolution in respect of salaries of original appointees to the Board of Tax Appeals;

S. J. Res. 146. Joint resolution to amend section 13 of the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and the field service"; and

H. J. Res. 283. Joint resolution to permit to remain within the United States certain aliens in excess of quotas fixed under authority of the immigration act of May 19, 1921.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on June 7, 1924, that committee presented to the President of the United States enrolled bills and joint resolutions of the following titles:

S. 113. An act changing the name of Keokuk Street, in the county of Washington, D. C., to Military Road;

S. 588. An act for the relief of Daniel A. Spaight and others;

S. 668. An act to establish the Utah National Park in the State of Utah;

S. 697. An act providing for the disposal of certain lands on Crooked and Pickerel Lakes, Mich., and for other purposes;

S. 699. An act authorizing the addition of certain lands to the Medicine Bow National Forest, Wyo., and for other purposes;

S. 790. An act for the establishment of a Federal industrial institution for women, and for other purposes;

S. 1192. An act to confer jurisdiction upon the United States district court, northern district of California, to adjudicate the claims of American citizens;

S. 1203. An act to amend an act entitled "An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Piute Indian lands in the State of Nevada, within the Newlands reclamation project of the Reclamation Service," approved February 14, 1923;

S. 1308. An act authorizing an appropriation to enable the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Temoak Band of homeless Indians, located at Ruby Valley, Nev.;

S. 1309. An act for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.;

S. 1376. An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia;

S. 1614. An act to repeal an act authorizing the construction of bridges across the Great Kanawha River;

S. 1785. An act to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof;

S. 1942. An act to protect navigation from obstruction and injury by preventing the discharge of oil into the coastal navigable waters of the United States;

S. 1987. An act accepting certain tracts of land in the city of Medford, Jackson County, Oreg.;

S. 2159. An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation and providing reimbursement therefor;

S. 2236. An act to designate the time and place of holding terms of the United States district court in the first division of the district at Kansas City;

S. 2572. An act to purchase grounds, erect, and repair buildings for customhouses, offices, and warehouses in Porto Rico;

S. 2573. An act to amend and reenact sections 20, 22, and 50 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes";

S. 2694. An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes;

S. 2699. An act to amend an act creating the Custer State Park game sanctuary in the State of South Dakota;

S. 2704. An act to amend paragraph (3), section 16, of the interstate commerce act;

S. 2761. An act to authorize the withdrawal of lands for the protection of antelope and other game animals and birds;

S. 2797. An act to authorize the payment of claims under the provisions of the so-called war minerals relief act;

S. 2799. An act to provide for quarters, fuel, and light for employees of the Indian field service;

S. 2834. An act relating to the American Academy in Rome;

S. 2887. An act authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes;

S. 2932. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes;

S. 3023. An act designating the State of New Mexico as a judicial district, fixing the time and place for holding terms of court therein, and for other purposes;

S. 3024. An act providing for the acquirement by the United States of privately owned lands within Rio Arriba and Taos Counties, N. Mex., known as the Las Trampas grant, by exchanging therefor timber, within the exterior boundaries of any national forest situated within the State of New Mexico;

S. 3093. An act granting certain public lands to the city of Phoenix, Ariz., for municipal, park, and other purposes;

S. 3111. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States, and for other purposes;

S. 3116. An act to authorize the Choctaw, Oklahoma & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. to construct a bridge across the White River near the city of De Valls Bluff, Ark.;

S. 3188. An act for the abandonment of a portion of the present channel of the south branch of the Chicago River;

S. 3220. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late George Mauger Burklin and the remains of the late Anton Lerch Burklin from Glenwood Cemetery, District of Columbia, to Fort Lincoln, Prince Georges County, Md.;

S. 3244. An act granting the consent of Congress to the Board of Supervisors of Hinds County, Miss., to construct a bridge across the Pearl River in the State of Mississippi;

S. 3263. An act to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va.;

S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits;

S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Pee Dee River at or near Savage Landing, S. C.;

S. 3380. An act to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a bridge across the Cumberland River, in the county of Pulaski, State of Kentucky, near the town of Burnside;

S. 3420. An act granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado;

S. 3434. An act for the protection of the northern Pacific halibut fishery;

S. J. Res. 43. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War;

S. J. Res. 73. Joint resolution providing for the appointment of a commission for the purpose of erecting in Potomac Park, in the District of Columbia, a memorial to those members of the armed forces of the United States from the District of Columbia who served in the Great War;

S. J. Res. 90. Joint resolution providing an extension of time for payment by entrymen of lands on the Fort Assiniboine abandoned military reservation in the State of Montana;

S. J. Res. 103. Joint resolution authorizing expenditure of the Fort Peck 4 per cent fund now standing to the credit of the Fort Peck Indians of Montana in the Treasury of the United States;

S. J. Res. 106. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin which the people of Argentina have presented to the United States;

S. J. Res. 114. Joint resolution authorizing an investigation of the proposed Casper-Alcova irrigation project, Natrona County, Wyo.; the Deschutes project in the State of Oregon; and the Southern Lassen irrigation project in Lassen County, Calif.;

S. J. Res. 115. Joint resolution to provide for the free transmission through the mails of certain publications for the blind;

S. J. Res. 127. Joint resolution to provide that the powers and duties conferred upon the Governor of Alaska under existing law for the protection of wild game animals and wild birds in Alaska be transferred to and be exercised by the Secretary of Agriculture;

S. J. Res. 137. Joint resolution in respect of salaries of original appointees to the Board of Tax Appeals; and

S. J. Res. 146. Joint resolution to amend section 13 of the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and the field service."

SPANISH SPRINGS IRRIGATION PROJECT, NEVADA

Mr. PITTMAN. Mr. President, I realize the seriousness of discussing a matter of this kind while there is pending a motion to adopt a conference report, and I would not do it on any ground of loss of legislation for my State. The only thing that urges me to do it is because, in my opinion, a great wrong has been done by legislators.

When this matter of reclamation first came up, it came up in the Interior Department matters several months ago. At that time there were these items for which we were seeking to obtain appropriations—the Spanish Springs project, part of the Newlands project, the Strawberry Valley project, now called Salt Basin; the Owyhee project, the Warm Springs project, the Yakima irrigation district project, and so on; but they were postponed, mind you, until the fact finding commission which had been appointed by the Secretary of the Interior could make their recommendations on the matter.

They made their recommendations, and what were their recommendations? Their recommendations were that the department should go on with the Newlands project, and that they should investigate the other projects before they went on with them.

What happened? The Budget makes an estimate for the Newlands project, and it does not make an estimate for the other projects; and then what happens in Congress? What a strange situation! The Newlands project is wiped out, and yet it is the only project in the group recommended by the fact finding commission and the only one estimated for by the Budget; and what happens in Utah?

Mr. WARREN. Mr. President, the Senator is mistaken about that. There were other items that the Budget recommended.

Mr. PITTMAN. Oh, well, I am talking about these things. What happened in Utah? Here is the Salt Lake Basin irrigation project. They changed the name of it. It used to be called the Strawberry Valley project. That is marked out in the bill. I think they ought to change the name of it.

For continued investigations, continuation of construction, and incidental operations, \$1,500,000.

And yet the fact finding commission refused to recommend it, and the Budget would not estimate for it. Oh, that is in there—why, of course.

How about Oregon?

Owyhee irrigation project, Oregon: For continued investigations, commencement of construction, and incidental operations, \$1,250,000.

The fact finding commission appointed by a Republican Secretary of the Interior would not recommend continuation of that project, and yet it is in there. The Budget did not estimate for it.

Further, how about Oregon?

Warm Springs (Vale) irrigation project, Oregon: For continued investigations and for first payment toward purchase of an interest in the Warm Springs reservoir, \$250,000.

Mr. WARREN. Mr. President, will the Senator allow me to say just a word? All of those amounts are cut down to a quarter, and Warm Springs, just spoken of, was cut out altogether.

Mr. PITTMAN. If they were cut down to the estimate, there would not be anything there.

Mr. WARREN. I say, that one was cut out entirely.

Mr. PITTMAN. I understand; but why did you cut out Spanish Springs?

Washington State:

Yakima irrigation project, Washington: For continued investigations, commencement of construction of the Kittitas unit, and incidental operations, \$1,500,000.

The fact finding commission would not recommend it, and the Budget never estimated for it, and yet it is in this bill.

Oh, they know; the managers on the part of the Senate understand. This is no surprise to them. The Members of the Senate understood it. Now they come in here, at the last hour, and threaten me by saying, "There is important legislation in this bill, and you will have to swallow it." I told you I would not swallow it, and I will not. Call your extra session if you want to. I will vote for it at any time. I will vote to keep you here if you want to stay. Suppose you put in a concurrent resolution to stay another week and fight this thing out, and see how it goes.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Idaho?

Mr. PITTMAN. I do.

Mr. BORAH. I do not want to take the Senator off the floor.

Mr. PITTMAN. I yield for a question. May I yield for a question and not lose the floor?

The PRESIDING OFFICER. The Senator may yield for a question and not lose the floor. If he yields otherwise, and the point is made, he will lose the floor.

Mr. PITTMAN. I yield only for a question.

Mr. BORAH. I am afraid I can not put it.

Mr. PITTMAN. I am very sorry.

Now, let us read what the fact finding commission has to say about these things. I remember when I went before the Committee on Appropriations in January in regard to the Newlands project. We had an estimate for the Newlands project in January, and they did not have any for theirs in January, and they have not got it yet; so they said to us: "Wait; let us see if the fact finding commission do not help us out. It is composed of able men, experts, the present commissioner of irrigation, and others." Then the commission came back, and they turned down these projects. What happened over in the House? You get everything you ask, in spite of not having an estimate, in spite of not having a recommendation, and turn down the only thing that was recommended and the only thing that was estimated for. Then they come over here at the last minute and talk to me about how I am going to defeat a big bill. Well, I tell you I am going to defeat it unless you put back the Spanish Springs appropriation, and while I am getting ready to defeat it I want you to get all the information that is here that you did not have before.

Mr. WARREN. Mr. President, I am sure the Senator does not want—

Mr. PITTMAN. I can not yield to the Senator for a speech. I will yield to the Senator for a question.

Mr. WARREN. But the Senator's statement is not true.

Mr. PITTMAN. Well, the record sustains me. The Senator can answer it later on. I will read something to him, and see how correct that is.

I am going to read from the statement of H. M. Lord, Director of the Bureau of the Budget, and see what he has to say about these projects. He quotes from the fact finding commission, as follows:

"As to the proposed new projects, Owyhee, Vale, Salt Lake Basin, and Kittitas, the committee has not sufficient information upon which to make specific recommendations. Attention is called to the fact that the estimated costs of construction are nearly all in excess of \$120 an acre. The committee is of the opinion, based upon the reports of annual production from lands now under irrigation, that projects requiring such acre cost as above suggested should be constructed only after it is clearly shown that the lands, when irrigated, can produce annual crop values sufficient to enable the settlers to repay costs from production, and within a reasonable time.

"It is understood that the above projects are those which offer the most favorable conditions for present investigation, and hence the committee is of the opinion that the appropriations therefor should be authorized, but with the provision that further investigation should be made of their feasibility, and that, if finally selected, they should be constructed and developed in accordance with the general resolutions of this committee."

The above estimate specifically provides for the investigation of these projects, together with the Casper-Alcova project in Wyoming. Under the provisions of the estimates the cost of the investigation will be reimbursed from the reclamation fund in the case of any project being adopted for construction by the United States.

And then what do they do? The Budget recommends \$125,000 to investigate these several projects, and the House appropriates two or three million dollars for them. That is what happens.

Mr. PHIPPS. Mr. President, will the Senator yield for a question?

Mr. PITTMAN. No; I can not yield for a question.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. PHIPPS. My question is, will there be opportunity before 7 o'clock to present a request for unanimous consent?

Mr. PITTMAN. I do not know; it all depends upon the action of the Senate as to whether there will be any opportunity. I do not desire to lose the floor; that is the only thing.

As a matter of fact, the whole proposition is surrounded with justifiable suspicion. I do not wish to point my finger at any particular Senator or Congressman or individual, nor do I like to look at them even; but it is a strange situation here that a party that brags of enacting a budget system for the purpose of economy should find the Budget recommending \$125,000 to investigate projects that the fact finding commission says are doubtful as to whether they will pay, and yet appropriate three or four million dollars for them outright and cut out a project that they recommended should be developed, and estimated \$200,000 with which to commence it.

That kind of thing will not go. You can not legislate in that way. You had better find out that you can not have legislation by committees in this body. I have said that once before. I had to kill a naval bill at the last session, and it becomes my unfortunate lot now, for the purpose of making committees do their duty, to kill this bill. I hate to kill it. It has in it a great many things of great merit for my State and for the whole West—in fact, for the whole country. It is not my fault. You can not lay it to my door. For the purpose of cutting out an appropriation of \$200,000 that was recommended by your fact finding commission, for the purpose of cutting out \$200,000 for one of the oldest projects in this country, estimated for and recommended by the Budget Bureau, you are willing to take a chance on sacrificing this bill. You knew well enough when you did it that you would sacrifice this bill. It is simply a question of whether you desire to kill this bill or not.

Mr. WARREN. Mr. President, this matter is still in disagreement, and the Senator is using the time to prevent us from coming to any further agreement.

Mr. PITTMAN. What do you want to do with it? Do you want to take it back?

I ask unanimous consent that this conference report be referred back to the committee with instructions that they insist upon the item on page 31 for the Spanish Springs Reservoir.

Mr. WARREN. The Senator knows very well that that can not be done in the time we have now. He has not even allowed it to be read.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

Mr. WARREN. I simply say that it is entirely useless, but I am willing that that should be done if that is the way in which the Senator desires to kill the bill.

Mr. PITTMAN. It is unanimous consent that I ask.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Is there objection?

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. The Senator from Utah.

Mr. SMOOT. The Senator from Nevada evidently referred to me as one of the conferees on this bill. I judge that not by the direct use of names but by inference, and from the statement he made I have not any doubt about it.

Mr. PITTMAN. I did not mean the Senator at all as a conferee. I may have included him with other persons.

Mr. SWANSON. Mr. President, is it impossible to get this bill through?

The PRESIDENT pro tempore. This question is not debatable.

Mr. SWANSON. I am making an inquiry in connection with the unanimous-consent agreement that is proposed. Is it impossible to get this bill through? Is it impossible to get it through if it goes back?

Mr. WARREN. We will undertake it, but—
Mr. SWANSON. If it is impossible, I am going to object to any unanimous-consent agreement.

Mr. WARREN. Not if it goes back, but we will have to move here to get an agreement.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Nevada? The Chair hears no objection, and the conference report is recommended to the conference committee.

Mr. STANFIELD. Mr. President—

The PRESIDENT pro tempore. The Senator from Oregon.

Mr. STANFIELD. I ask unanimous consent that on the calendar day of December 11, 1924, at 2 o'clock p. m., the civil service retirement bill be made the unfinished business.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Oregon?

Mr. PITTMAN. What is the request? I make the point of order that I can not hear what is going on.

Mr. STANFIELD. To make the civil service retirement bill the unfinished business.

Mr. PHIPPS rose.

Mr. PITTMAN. Has the Senator from Colorado made a request?

Mr. PHIPPS. I am trying to get recognition for the purpose of presenting the war minerals relief bill, to get an agreement to an amendment made by the House.

Mr. PITTMAN. I yield to the Senator for that purpose; but I still have the floor.

The PRESIDENT pro tempore. The Senator from Nevada, the Chair understands, yielded the floor.

Mr. PITTMAN. I yield to the Senator from Colorado.

Mr. PHIPPS. This is the third time I have asked for this unanimous consent, and now I have the permission of the Senator from Nevada.

The PRESIDENT pro tempore. The Chair understands that the Senator from Nevada yielded the floor.

Mr. CURTIS. Let us have order.

The PRESIDENT pro tempore. Nothing will be done until Senators come to order.

Mr. PITTMAN. Is it the ruling of the Chair that a request for unanimous consent takes a Senator from the floor?

The PRESIDENT pro tempore. The Chair observed the Senator from Nevada, and after the unanimous consent had been granted, determined that he had yielded the floor.

Mr. PITTMAN. That is perfectly agreeable to me, if the Chair has so ruled.

Mr. PHIPPS. The Chair then recognized the Senator from Oregon.

The PRESIDENT pro tempore. The Senator from Oregon has made a request for unanimous consent. Is there objection to his request?

Mr. KING. I object.

The PRESIDENT pro tempore. Objection is made. Now the Senator from Colorado is recognized.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his Secretaries, announced that the President had approved and signed acts and joint resolutions of the following titles:

On June 6, 1924:

S. 381. An act to amend section 2 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (39 Stat. L. p. 862);

S. 709. An act for the relief of the Commercial Pacific Cable Co.;

S. 2169. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 2929. An act granting the consent of Congress to the States of Georgia and Florida, through their respective highway departments, to construct a bridge across the St. Marys River at or near Wilds Landing, Fla.; and

S. J. Res. 142. Joint resolution providing for the United States Government to have representation at the celebration of the centennial of the first meeting of the Legislative Council of the Territory of Florida.

On June 7, 1924:

S. 790. An act for the establishment of a Federal Industrial Institution for Women, and for other purposes;

S. 966. An act for the continuance of construction work on the San Carlos Federal irrigation project in Arizona, and for other purposes; and

S. 1174. An act authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the

claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses.

On June 7, 1924 (at the Capitol):

S. J. Res. 43. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War;

S. J. Res. 73. Joint resolution providing for the appointment of a commission for the purpose of erecting in Potomac Park, in the District of Columbia, a memorial to those members of the armed forces of the United States from the District of Columbia who served in the Great War;

S. J. Res. 90. Joint resolution providing an extension of time for payment by entrymen of lands on the Fort Assiniboine abandoned military reservation, in the State of Montana;

S. J. Res. 103. Joint resolution authorizing expenditure of the Fort Peck 4 per cent fund now standing to the credit of the Fort Peck Indians of Montana in the Treasury of the United States;

S. J. Res. 106. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of an equestrian statue of General San Martin, which the people of Argentina have presented to the United States;

S. J. Res. 114. Joint resolution authorizing an investigation of the proposed Casper-Alcova irrigation project, Natrona County, Wyo.; the Deschutes project in the State of Oregon; and the Southern Lassen irrigation project in Lassen County, Calif.;

S. J. Res. 115. Joint resolution to provide for the free transmission through the mails of certain publications for the blind;

S. J. Res. 127. Joint resolution to provide that the powers and duties conferred upon the Governor of Alaska under existing law for the protection of wild game animals and wild birds in Alaska be transferred to and be exercised by the Secretary of Agriculture;

S. J. Res. 137. Joint resolution in respect of salaries of original appointees to the Board of Tax Appeals;

S. J. Res. 146. Joint resolution to amend section 13 of the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and the field service."

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S. 588. An act for the relief of Daniel A. Spaight and others;

S. 668. An act to establish the Utah National Park in the State of Utah;

S. 697. An act providing for the disposal of certain lands on Crooked and Pickerel Lakes, Mich., and for other purposes;

S. 699. An act authorizing the addition of certain lands to the Medicine Row National Forest, Wyo., and for other purposes;

S. 1192. An act to confer jurisdiction upon the United States District Court, Northern District of California, to adjudicate the claims of American citizens;

S. 1203. An act to amend an act entitled "An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Pute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service," approved February 14, 1923;

S. 1308. An act authorizing an appropriation to enable the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Temoak Band of homeless Indians, located at Ruby Valley, Nev.;

S. 1309. An act for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.;

S. 1376. An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia;

S. 1614. An act to repeal an act authorizing the construction of bridges across the Great Kanawha River;

S. 1785. An act to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof;

S. 1942. An act to protect navigation from obstruction and injury by preventing the discharge of oil into the coastal navigable waters of the United States;

S. 1987. An act accepting certain tracts of land in the city of Medford, Jackson County, Ore.;

S. 2159. An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation and providing reimbursement therefor;

S. 2236. An act to designate the time and place of holding terms of the United States district court in the first division of the district at Kansas City;

S. 2257. An act to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act as amended, and the vocational rehabilitation act as amended;

S. 2572. An act to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico;

S. 2573. An act to amend and reenact sections 20, 22, and 50 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes";

S. 2694. An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes;

S. 2699. An act to amend an act creating the Custer State Park game sanctuary in the State of South Dakota;

S. 2704. An act to amend paragraph (3), section 16, of the interstate commerce act;

S. 2761. An act to authorize the withdrawal of lands for the protection of antelope and other game animals and birds;

S. 2797. An act to authorize the payment of claims under the provisions of the so-called war minerals relief act;

S. 2799. An act to provide for quarters, fuel, and light for employees of the Indian field service;

S. 2834. An act relating to the American Academy in Rome;

S. 2887. An act authorizing transfer of certain abandoned or unused lighthouse reservation lands by the United States to the State of New York for park purposes;

S. 2932. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes;

S. 3023. An act designating the State of New Mexico as a judicial district, fixing the time and place for holding terms of court therein, and for other purposes;

S. 3024. An act providing for the acquirement by the United States of privately owned lands within Rio Arriba and Taos Counties, N. Mex., known as the Las Trampas grant, by exchanging therefor timber within the exterior boundaries of any national forest situated within the State of New Mexico;

S. 3093. An act granting certain public lands to the city of Phoenix, Ariz., for municipal, park, and other purposes;

S. 3111. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Stockbridge Indians may have against the United States, and for other purposes;

S. 3116. An act to authorize the Choctaw, Oklahoma & Gulf Railway Co. and the Chicago, Rock Island & Pacific Railway Co. to construct a bridge across the White River near the city of De Valls Bluff, Ark.;

S. 3188. An act for the abandonment of a portion of the present channel of the south branch of the Chicago River;

S. 3220. An act authorizing the health officer of the District of Columbia to issue a permit for the removal of the remains of the late George Mauer Burklin and the remains of the late Anton Lerch Burklin from Glenwood Cemetery, District of Columbia, to Fort Lincoln, Prince Georges County, Md.;

S. 3244. An act granting the consent of Congress to the Board of Supervisors of Hinds County, Miss., to construct a bridge across the Pearl River in the State of Mississippi;

S. 3263. An act to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Va.;

S. 3269. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3324. An act to amend section 5 of the trade-mark act of 1905, as amended, relative to the unauthorized use of portraits;

S. 3355. An act granting the consent of Congress to the counties of Marion and Florence, in the State of South Carolina, to construct a bridge across the Pee Dee River at or near Savage Landing, S. C.;

S. 3380. An act to grant the consent of Congress to the Cincinnati, New Orleans & Texas Pacific Railway Co. to construct, maintain, and operate a bridge across the Cumberland River in the county of Pulaski, State of Kentucky, near the town of Burnside;

S. 3420. An act granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado; and

S. 3434. An act for the protection of the northern Pacific halibut fishery.

WAR MINERALS RELIEF ACT

Mr. PHIPPS. I ask the Chair to lay before the Senate a message from the House.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the bill (S. 2797) to authorize payments of claims under the so-called war minerals relief act.

Mr. PHIPPS. I move that the Senate concur in the House amendments.

Mr. ASHURST. I hope that will be done, Mr. President. The amendments were concurred in.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Page, its Clerk, announced that the House had passed a joint resolution (H. J. Res. 295) making appropriations for the administration of the World War adjusted compensation act, fiscal year ending June 30, 1925, in which it requested the concurrence of the Senate.

DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. WARREN. Mr. President, I move the adoption of the conference report on the second deficiency bill.

Mr. PITTMAN. On what bill? I desire to be heard.

Mr. WARREN. Wait a moment. It is an effort to carry out the Senator's idea.

Mr. CURTIS. Let us have order.

The PRESIDENT pro tempore. If Senators will take their seats, we can have order.

Mr. ROBINSON. I suggest to the Chair that the Chair direct the Sergeant at Arms to restore order in the Chamber and to preserve order. These scenes certainly are not pleasing either to the public or to Senators.

The PRESIDENT pro tempore. The Senator from Nevada asked unanimous consent that this conference report be recommitted to the conferees, and there was no objection, and it was so ordered.

Mr. WARREN. It can not be done until the motion is made, so that the report may be liberated and I can take it back. In order to bring it to a question I move that on the two amendments in disagreement the Senate shall recede. Those amendments are No. 29 and No. 34. That brings the matter before the Senate.

Mr. PITTMAN. Mr. President, there is a unanimous consent which has been agreed to.

The PRESIDENT pro tempore. The Chair is of the opinion that the unanimous-consent agreement involved a reference to the committee in the present condition of the bill.

Mr. PITTMAN. What is the motion of the Senator?

Mr. WARREN. My motion was that we recede on the two amendments still in disagreement, one of which is as to Spanish Springs and the other of which is as to the employment of a director of reclamation.

Mr. PITTMAN. That is, to recede or insist?

Mr. WARREN. I was moving to recede.

Mr. PITTMAN. I desire to be heard on that.

The PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. PITTMAN. This is a violation, apparently—

Mr. WARREN. The Senator has the right now to move the other thing.

Mr. PITTMAN. I am not moving anything. I have asked for a unanimous-consent agreement, and I do not consider it has been carried out in the spirit in which it was given.

Mr. WARREN. I have not the papers in my hands, and I am trying to get them.

Mr. PITTMAN. I want to say this, that I tried to treat this matter in all fairness, and at 15 minutes of 7 o'clock I was informed on the floor by the chairman of the committee that they would have time to go back with it, so I asked unanimous consent that the conference report be referred back to the conference committee with instructions that they insist upon this amendment to which I have referred. That was agreed to. Now, the chairman comes back and desires to put it in another phase, and he moves that it be referred back with instructions that the Senate recede from the two Senate amendments, which means that they would do just what they have done, give them up. That is what it means.

Mr. BORAH. Mr. President—

Mr. PITTMAN. I still have the floor, and I can not yield except for a question.

The PRESIDENT pro tempore. The Senator from Nevada has the floor.

Mr. PITTMAN. I do not intend to allow this matter to come to a vote by any subterfuge whatever. This motion that

is offered by the Senator is nothing more nor less than a subterfuge to carry a vote here instructing the conferees to do just what they have already done. That is what it is, to instruct them to recede when they have already receded. It is just another method of getting at the same thing, and it is a subterfuge and a violation of the unanimous-consent agreement we entered into just awhile ago. You could not set that unanimous-consent agreement aside by any motion whatever, if the Senate stands by its rules. You could not set it aside except by another unanimous-consent agreement. The Chair has declared that the agreement is in effect; and if it is in effect, then the conference report is not before the Senate, but is in the possession of the conference committee with instructions of the Senate as to what to do with it. If they are willing to go and do that with it, let them go. If they are not, let them stay. I will proceed to read some of the fact finding commission's report, which I think Senators should hear in this matter.

Mr. BURSUM. Mr. President—

Mr. PITTMAN. I do not yield to the Senator.

Mr. BURSUM. Will the Senator yield to me—

Mr. PITTMAN. I will not yield.

Mr. BURSUM. To make a unanimous-consent request?

Mr. PITTMAN. I will not yield to the Senator for any purpose. That might settle that.

Let me see just exactly how violent is the effort of these legislators to get three or four million dollars for their pet projects which are disapproved by the fact finding commission, and not authorized by the Budget.

I read from the recommendations of the fact finding commission:

The Newlands project was among those first selected and authorized after the passage of the reclamation law.

The engineering features were carefully considered, the water supply based upon the use of storage in Lake Tahoe, and the agricultural study of soils made in accordance with then known scientific methods. It seemed to offer, climatically, agriculturally, and physically, an opportunity for a successful project.

The original possible area was thought to be about 450,000 acres; that was early reduced to 397,000 acres and later to 206,000 and finally to 73,000, when it was found, as a result of years of legal controversy, that the expected use of the water of Lake Tahoe was not available.

There is still some misunderstanding about the unanimous-consent agreement. The unanimous-consent agreement binds but one amendment, and that is the amendment providing an appropriation for the Spanish Springs project, a division of the Yuma project. The committee is at liberty to do anything they want to do with regard to any other project under the unanimous-consent agreement.

Mr. WARREN. We have seven items there in disagreement. I am perfectly willing to move, if the Senator will permit, that the report shall be adopted with instructions on the two amendments in disagreement that it shall be taken back—

Mr. PITTMAN. No; I will not stand for any substitute like that. This report shall not be acted on in any way until that amendment is included.

Mr. ASHURST. Mr. President, does the Senator yield? I sympathize with the Senator—

Mr. PITTMAN. I refuse to yield at this time.

Mr. ASHURST. I appeal to the Senator to let the bill pass. I am hurt more than he is.

Mr. PITTMAN. I can not yield. Mr. President, it is believed that the—

The PRESIDENT pro tempore (rapping for order). There must be order in the Chamber. The Sergeant at Arms is directed to request persons in the rear of the Chamber to be seated. The business of the Senate will be suspended until that order is enforced. [After a pause.] The Senator from Nevada will proceed.

Mr. PITTMAN. I can say to the conference committee that they have full power under the unanimous-consent agreement and have had for the last 10 minutes. It allows them to go back and do what they please with the conference report except with regard to the one amendment. If they did not have their minds made up to kill the amendment, they would do that. I say that as long as they have got their minds made up to kill that amendment the whole thing will go with it.

Mr. ROBINSON. Mr. President, will the Senator yield to enable me to present a unanimous-consent request?

Mr. PITTMAN. Yes; if I do not lose the floor by doing so.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the joint resolution which just came over from the House of Representatives, providing an appropriation for

the payment of the adjusted compensation. It is one of the features, as I take it, in the urgent deficiency appropriation bill, and I am sure no Senator would want to defeat that appropriation.

Mr. SMOOT. It simply provides—

Mr. PITTMAN. If it is unanimously agreed that I do not lose the floor or the right to discuss this motion, I will be happy to yield, and I suppose no one will object to that.

Mr. KING. I should like to hear the resolution read.

Mr. ROBINSON. It would be 7 o'clock before it could be read.

Mr. KING. What is it about?

Mr. REED of Missouri. It provides for the payment of the adjusted compensation. It is one item in this bill.

Mr. ROBINSON. The joint resolution appropriates for the Veterans' Bureau the funds necessary for the immediate use of the Government under the adjusted compensation act.

Mr. BORAH. That, as I understand it, is included in this bill already.

Mr. ROBINSON. It is.

Mr. BORAH. I object to the consideration of it. If it goes through, it will have to go through on this bill. This bill protects the home builders of the West; and if the home builders of the West are not going to have the protection of the Congress, we are not going to vote any more taxes until they have an opportunity to produce so they can pay them. For six months Congress has devoted its time to appropriating money and creating heavier obligations for the taxpayer. Not another dollar, if I can prevent it, until some consideration is given to the producer, the man who must pay these taxes.

The PRESIDENT pro tempore. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 295) making appropriations for the administration of the World War adjusted compensation act, fiscal year ending June 30, 1925, was read twice by its title.

Mr. PITTMAN. A parliamentary inquiry. What is this?

The PRESIDENT pro tempore. Unanimous consent is asked for the present consideration of the joint resolution.

Mr. BORAH. I object. We will all go down together.

The PRESIDENT pro tempore. The Senator from Idaho objects.

Mr. PITTMAN. Now, Mr. President, I want to say this: I have not had an opportunity to go entirely into this subject, but, nevertheless, I have stated enough of it to show the character of the legislation.

Mr. REED of Missouri. Mr. President, I move that the Senate agree to the House resolution just presented.

Mr. BORAH. Upon that I want to be heard. I do not propose that the man who is struggling to save his home shall be discriminated against any longer.

FINAL ADJOURNMENT

The PRESIDENT pro tempore (Mr. CUMMINS). It is now 7 o'clock, and under the concurrent resolution adopted by the House and the Senate of the United States, the Senate of the first session of the Sixty-eighth Congress stands adjourned without day.

HOUSE OF REPRESENTATIVES

SATURDAY, June 7, 1924

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Heavenly Father, only through the continuance of Thy mercy are we able to stand in Thy presence. We praise Thee, O God, for Thy marvelous goodness that pours from Thy infinite heart. All the days of our lives Thou hast been with us; we therefore thank Thee. Truly Thou art our God, and we are the people of His pasture. We bless Thee, O Lord, that we are living under such broad skies and in a land so abundant in resources that make a people great. Through love of virtue, zeal for knowledge, by policy and legislation may we pursue the things that make for national righteousness and that edify mankind. Be gracious and merciful unto our President and the Speaker of this Congress. Bless and direct all Members, all officers, all employees, and pages of this House while the intervening months pass by. May no peril befall our dwellings; stay the hand of affliction and keep us in the shadow of Thy presence. With hearts of gladness and with wills to serve help us to lighten life's burden, lift life's load, and brighten life's way, through Jesus Christ our Lord. Amen.